

**PB# 04-22**

**Exxon-Mobil  
(SP & Spec. Permit)**

**69-4-26.2**

TOWN OF NEW WINDSOR  
PLANNING BOARD

**APPROVED COPY**

DATE: March 3, 2006



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/27/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE-- MEETING-PURPOSE-----ACTION-TAKEN-----

03/03/2006 PLANS STAMPED APPROVED

08/24/2005 P.B. APPEARANCE LA:ND WVE PH APP CON  
. NEED BOND ESTIMATE - DOES NOT NEED O.C. PLANNING REVIEW -  
. NEED PHIL CROTTY TO SIGN OFF - ADDRESS MARK'S COMMENTS OF  
. 8/24/05

09/08/2004 P.B. APPEARANCE REFER TO ZBA  
. NEED O.C. PLANNING REVIEW - NEED WORK SHOP BEFORE ZBA

05/05/2004 WORK SHOP APPEARANCE SUBMIT  
. RETURN TO WORK SHOP AFTER ZBA REFERRAL

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/27/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY

APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	08/31/2004	EAF SUBMITTED	08/31/2004	WITH APPLIC
ORIG	08/31/2004	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	08/31/2004	LEAD AGENCY DECLARED	08/24/2005	TOOK LA
ORIG	08/31/2004	DECLARATION (POS/NEG)	08/24/2005	DECL NEG DEC
ORIG	08/31/2004	SCHEDULE PUBLIC HEARING	/ /	
ORIG	08/31/2004	PUBLIC HEARING HELD	/ /	
ORIG	08/31/2004	WAIVE PUBLIC HEARING	08/24/2005	WAIVE PH
ORIG	08/31/2004	PRELIMINARY APPROVAL	/ /	
ORIG	08/31/2004		/ /	
ORIG	08/31/2004	LEAD AGENCY LETTER SENT	/ /	



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

February 14, 2006

Price, Meese, Shulman & D'Arminio, P.C.  
50 Tice Blvd.  
Woodcliff Lake, NJ 07677

ATTN: GREGORY D. MEESE, ESQ.

SUBJECT: EXXON/MOBIL - VAILS GATE, NY  
P.B. #04-22

Dear Mr. Meese:

Please find attached printouts of fees due for subject project.

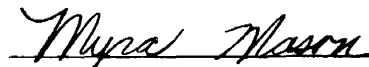
Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$	125.00
Check #2 - 4% of Cost Est.(\$212,791.00) inspection fee..	\$	4,861.00
Check #3 - Amount of charges over escrow posted.....	\$	158.90

Upon receipt of these checks, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

  
Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

**PAID**  
3/1/06

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/14/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY

APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/14/2006	APPROVAL FEE	CHG	125.00		
			-----	-----	-----
		TOTAL:	125.00	0.00	125.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/14/2006

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/14/2006	4% OF \$212,791. COST EST.	CHG	4861.00		
			-----	-----	-----
		TOTAL:	4861.00	0.00	4861.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 02/14/2006

PAGE:

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-D
08/31/2004	REC. CK. #2674	PAID		750.00	
09/08/2004	P.B. ATTY. FEE	CHG	35.00		
09/08/2004	P.B. MINUTES	CHG	63.00		
08/24/2005	P.B. ATTY. FEE	CHG	35.00		
08/24/2005	P.B. MINUTES	CHG	49.00		
02/14/2006	P.B. ENGINEER	CHG	726.90		
		TOTAL:	908.90	750.00	158.90



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

**RICHARD D. MCGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**

**33 AIRPORT CENTER DRIVE  
SUITE 202  
NEW WINDSOR, NEW YORK 12553**

**(845) 567-3100**

**FAX: (845) 567-3232**

**E-MAIL: MHENY@MHEPC.COM**

**WRITER'S E-MAIL ADDRESS:**

**NJE@MHEPC.COM**

**MEMORANDUM**

**14 February 2006**

**TO: MYRA MASON, PLANNING BOARD SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: MOBIL SITE PLAN - BOND ESTIMATE AND CLOSEOUT  
PLANNING BOARD APPLICATION NO. 04-22**

**We have reviewed the cost estimate submitted for the subject project, and have made revisions to reflect the fact that the sewer relocation is a public improvement. The revised amount is \$212,791.00**

**I see no problem in taking a single bond for the overall work, since the public portion is on-site and is minimal in comparison to the overall bond amount.**

**Based on the cost estimate, the inspection fee should be established as \$ 4861.**

**Attached is our time printout so you can close out the job.**

**REGIONAL OFFICES**

**• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2755 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •**

**SITE WORK CONSTRUCTION ENGINEERING COST ESTIMATE**  
**EXXON MOBIL CORPORATION - New Windsor, Orange County, NY; Block 4, Lot 26.2**  
**EXXON MOBIL CORPORATION**  
 Bertin Engineering Site Plans dated 12/08/03 Last Revised 7/28/05  
 BEA S251A

**I. ON-SITE IMPROVEMENTS**

<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
<b><u>A. Storm Sewer</u></b>			
12" RCP	214 LF	\$26.00	\$5,564.00
15" RCP	36 LF	\$29.00	\$1,044.00
4" PVC	246 LF	\$8.00	\$1,968.00
6" PVC	164 LF	\$12.00	\$1,968.00
Inlets/Catch Basin	3 EA	\$2,200.00	\$6,600.00
Tie Into Exist. Inlet	2 EA	\$500.00	\$1,000.00
Cleanouts	10 EA	\$250.00	\$2,500.00
Trench Drain	2 EA	\$1,500.00	\$3,000.00
<b>Subtotal</b>			<b>\$23,644.00</b>

**B. Water & Sanitary Sewer**

4" PVC, SDR 35 Lateral	22 LF	\$18.00	\$396.00
6" PVC, SDR 35 Lateral	38 LF	\$12.00	\$456.00
2-1/2" Water Main	277 LF	\$35.00	\$9,695.00
Sanitary Manhole	2 EA	<del>\$3,000.00</del> \$3,300	<del>\$6,000.00</del> \$6,600
Dog House Manhole	2 EA	<del>\$3,200.00</del> \$5,600	<del>\$6,400.00</del> \$11,200
10" PVC	166 LF	<del>\$25.00</del> \$75	<del>\$4,150.00</del> \$12,450
4" Cleanout	4 EA	\$200.00	\$800.00
750 Gal. Grease Trap	1 EA	\$1,500.00	\$1,500.00

**Subtotal** **\$29,397.00** \$ 43,097

**C. Signage/Striping**

4" Wide Painted Stripe, Yellow	100 LF	\$1.50	\$150.00
4" Wide Painted Stripe, White	423 LF	\$1.50	\$634.50
4" Wide Painted Stripe, Blue	43 LF	\$1.50	\$64.50

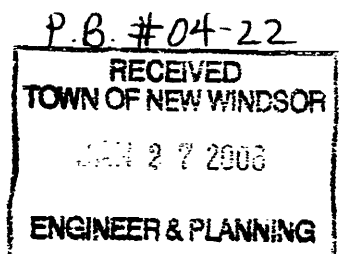
**Subtotal** **\$849.00**

<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
Painted Handicap Symbol	8 EA	\$50.00	\$400.00
Traffic Sign- HC -Parking	1 EA	\$175.00	\$175.00
Traffic Sign - No Parking - Any Time	1 EA	\$175.00	\$175.00
<b>Subtotal</b>			<b>\$750.00</b>

**D. Soil Erosion**

Inlet Filter	11 EA	\$150.00	\$1,650.00
Silt Fence	424 LF	\$5.00	\$2,120.00

**Subtotal** **\$3,770.00**





<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
<b><u>E. Site Concrete</u></b>			
Concrete Sidewalk	1,313 SF	\$4.50	\$5,908.50
Concrete Pavement (Standard)	6,981 SF	\$6.00	\$41,886.00
Concrete Curb	779 LF	\$13.00	\$10,127.00
Concrete Pavement (Tank Slab)	1,456 SF	\$8.00	\$11,648.00
Concrete Handicap Ramp	1 EA	\$500.00	\$500.00

<b>Subtotal</b>			<b>\$64,161.00</b>
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**F. Paving**

4" Crushed Stone	2,365 SY	\$5.60	\$13,244.00
4" Stabilized Asphalt Base	2,365 SY	\$9.60	\$22,704.00
2" FABC Wearing Course	2,365 SY	\$4.20	\$9,933.00

<b>Subtotal</b>			<b>\$45,881.00</b>
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**G. Landscaping**

Shrub	164 EA	\$41.00	\$6,724.00
Deciduous Tree	3 EA	\$320.00	\$960.00
Evergreen Tree	13 EA	\$180.00	\$2,340.00
Flowering Tree	2 EA	\$150.00	\$300.00
Fertilizer & Seed Etc.	1,228 SY	\$3.00	\$3,684.00

<b>Subtotal</b>			<b>\$14,008.00</b>
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<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
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**H. Site Lighting / Electric**

LSI 320 w Area Light (16' High)	6 EA	\$1,200.00	\$7,200.00
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<b>Subtotal</b>			<b>\$7,200.00</b>
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**I. Miscellaneous**

Trash Enclosure	1 LS	\$5,000.00	\$5,000.00
6' Wood Fence	264 LF	\$20.00	\$5,280.00

<b>Subtotal</b>			<b>\$10,280.00</b>
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<b>TOTAL ON-SITE IMPROVEMENTS</b>			<b>\$199,091.00</b>
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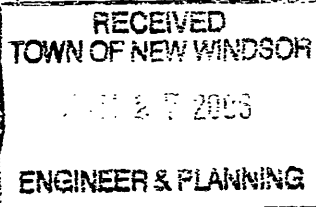
\$ 212,791

<b>Total</b>	<b>\$199,091.00</b>
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**Notes:**

- This itemized list of improvements is for the construction quantities associated with proposed improvements as detailed on a set of plans entitled "MOBIL ON THE RUN, CAR WASH & CANOPY, EXXON MOBIL CORPORATION, BLOCK 4, LOT 26.2, 1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32, NEW WINDSOR, ORANGE COUNTY, NEW YORK" sheets 1-11, prepared by Bertin Engineering Associates, Inc. Dated December 8, 2003. Last Revised 7/28/05
- The quantities listed above are approximate and are not intended to represent the exact quantities to be constructed on this project.

P.B. #04-22



Calisto J. Bertin, NYPE Lic#60022



## HISTORICAL CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)  
 TASK: 4- 22

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	DOLLARS	
										BILLED	BALANCE
4-22	203534	05/05/04	TIME	MJE	WS EXXON MOBIL 5 CORNERS	99.00	0.40	39.60			
4-22	204265	08/31/04	TIME	MJE	MC TC/MM:VG MOBIL	99.00	0.30	29.70			
4-22	204275	09/07/04	TIME	MJE	MC EXXON MOBIL S/P VG	99.00	0.90	89.10			
4-22	204250	09/08/04	TIME	MJE	MM Exxon Mobil > ZRA	99.00	0.10	9.90			
								168.30			
4-22	204473	10/08/04			BILL 04-1148						-168.30
											-168.30
4-22	204683	11/03/04	TIME	MJE	WS EXXON MOBIL S/P AM	99.00	0.40	39.60			
4-22	204732	11/09/04	TIME	MJE	MC EXXON MOBIL 5 CORNER	99.00	0.80	79.20			
								118.80			
4-22	204803	12/06/04			BILL 04-1341						-79.20
4-22	204927	12/29/04			BILL 04-1410						-39.60
											-118.80
4-22	205843	03/11/05	TIME	MJE	MC EXXON MOBIL ZRA	99.00	0.60	59.40			
4-22	205910	03/15/05	TIME	MJE	MC MOBIL ZRA REFERRAL	99.00	0.50	49.50			
4-22	205911	03/15/05	TIME	MJE	MC TC/MS E MOBIL	99.00	0.20	19.80			
								128.70			
4-22	206389	05/02/05			BILL 05-627						-128.70
											-128.70
4-22	207434	07/20/05	TIME	MJE	WS EXXON MOBIL S/P	99.00	0.40	39.60			
4-22	207794	08/24/05	TIME	MJE	MR EXXON MOBIL SITE PLN	99.00	0.50	49.50			
4-22	207795	08/24/05	TIME	MJE	MR EXXON EASE MISO-PAC	99.00	0.40	39.60			
4-22	207797	08/24/05	TIME	MJE	MM Exxon COWD APPL	99.00	0.10	9.90			
								138.60			
4-22	207981	09/15/05			BILL 05-1258						-138.60
											-138.60
					TASK TOTAL			554.40		-554.40	0.00
									0.00		0.00
					GRAND TOTAL			554.40		-554.40	0.00
									0.00		0.00

172.50

\$726.90

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 4- 22

FOR WORK DONE PRIOR TO: 02/14/2006

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
4-22	291431	02/14/06	TIME	MJE	MC	closeout rev	115.00	0.50	57.50			
4-22	291432	02/14/06	TIME	BMM	MC	cost est rev	115.00	1.00	115.00			
TASK TOTAL									172.50	0.00	0.00	172.50
GRAND TOTAL									172.50	0.00	0.00	172.50

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/14/2006	APPROVAL FEE	CHG	125.00		
03/01/2006	REC. CK. #12924	PAID		125.00	
			-----	-----	-----
		TOTAL:	125.00	125.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2006

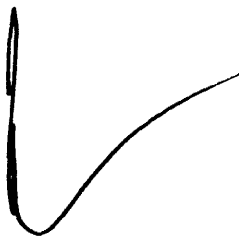
PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/31/2004	REC. CK. #2674	PAID		750.00	
09/08/2004	P.B. ATTY. FEE	CHG	35.00		
09/08/2004	P.B. MINUTES	CHG	63.00		
08/24/2005	P.B. ATTY. FEE	CHG	35.00		
08/24/2005	P.B. MINUTES	CHG	49.00		
02/14/2006	P.B. ENGINEER	CHG	726.90		
03/01/2006	REC. CK. #12926	PAID		158.90	
		TOTAL:	908.90	908.90	0.00

  
3/1/06

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/01/2006

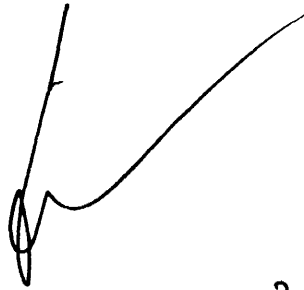
PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**4% FEE**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/14/2006	4% OF \$212,791. COST EST.	CHG	4861.00		
03/01/2006	REC. CK. #0003291	PAID		4861.00	
		TOTAL:	4861.00	4861.00	0.00



3/1/06

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#170-2006**

03/01/2006

Bertin Engineering Assoc. Inc. *P.B. #04-22*

Received \$ 125.00 for Planning Board Fees, on 03/01/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

# BERTIN ENGINEERING ASSOCIATES, INC.

Engineering • Surveying • Landscape Architecture • Planning

66 Glen Avenue  
P.O. Box 307  
Glen Rock, NJ 07452-0307  
Tel: (201) 670-6688  
Fax: (201) 670-9788

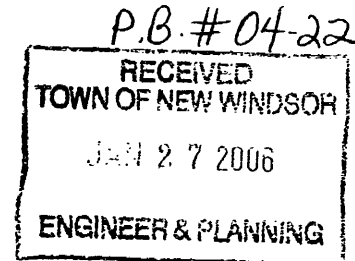


Civil & Traffic Engineering  
Structural Engineering  
Mechanical Engineering  
Environmental Engineering

January 26, 2006

**VIA OVERNIGHT MAIL - STANDARD**

Myra Mason  
Secretary, Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553-6196



Re: Mobil On The Run, Car Wash & Canopy  
Mobil Location MRN 12225  
1001 N.Y.S. Route 94 & N.Y.S. Route 32  
New Windsor, NY  
BEA S251A

Dear Ms. Mason:

As instructed by the attorney for the applicant, Gregory D. Meese, enclosed please find three (3) signed and sealed sets of the most recent Site Plan Drawings 1-11 plus the ALTA/ASCM Land Title Survey, Drawing SV-1. The site plan drawings have a latest revision date of December 28, 2005.

Also enclosed is one (1) signed and sealed copy of an engineer's construction cost estimate for the site improvements to be used for the posting of the performance bond.

It is our understanding the drawings will be forwarded to the Planning Board Engineer for final sign-off and a determination of fees prior to the issuance of a building permit.

We trust this will be of assistance to you. If you have any questions or need additional information, please contact me.

Very truly yours,  
Bertin Engineering Associates, Inc.

Brian J. Shortino, P.E.  
BJS:kw

Enclosures

Cc: Michael Bianco, Trammell Crow Company  
Gregory D. Meese, Price, Meese, Shulman & D'Arminio, P.C.

\\BERTIN-SERVER\BEA-Projects\BEA-Letters\IS-2003\S251A\LTR-22.doc

39 Elm Street, Southbridge, MA 01550 (508) 765-0195  
405 Tarrytown Road, P.O. Box 434, White Plains, NY 10607 (914) 948-4508

cc: M.E. 1/27/06





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

33 Airport Center Drive  
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(845) 567-3100

fax: (845) 567-3232

e-mail: mhenry@mhepc.com

*Writer's e-mail address:*

*mje@mhepc.com*

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** EXXON MOBIL SITE PLAN AMENDMENT  
(PROPOSED "ON THE RUN" RETAIL & NEW CAR WASH)  
**PROJECT LOCATION:** VAILS GATE (5-CORNERS)  
SECTION 69 – BLOCK 4 – LOT 26.2  
**PROJECT NUMBER:** 04-22  
**DATE:** 24 AUGUST 2005  
**DESCRIPTION:** THE APPLICATION PROPOSES THE RECONSTRUCTION OF THE  
FACILITY, WITH NEW GAS PUMPS, RETAIL BUILDING & CAR  
WASH. THE PLAN WAS PREVIOUSLY REVIEWED AT THE  
8 SEPTEMBER 2004 AND 10 NOVEMBER 2004 PLANNING BOARD  
MEETINGS.

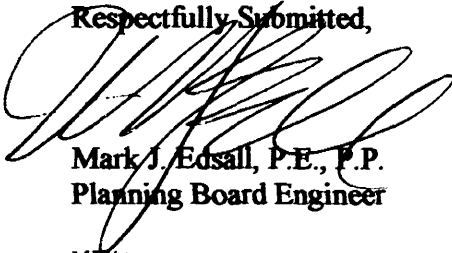
1. The application was previously referred to the Zoning Board of Appeals for necessary variances. It is our understanding that the necessary variances were granted on 6/27/05. We should verify that *all* necessary variances were obtained. A record of the ZBA decision should be on file with the Planning Board.
2. Some minor site layout adjustments have been made per my previous comments and discussions with the applicant at the worksessions. These include a curb recess on the "exit side" of the car wash, relocation of the vacuum/air/water component to this area, lighting information (restriction that all canopy lights be recessed), dumpster enclosure requirements, etc. The Board may wish to have the applicant advise of any additional improvements to the plans.
3. We should verify the method of parking calculation as approved/interpreted by the ZBA. It is my understanding that the parking spaces at the pumps have been determined as acceptable "off-street" spaces for compliance with the parking calc.
4. Since the project plans no change in the access points to the State Highways, nor are the uses changing, the application was not forwarded to the NYSDOT. If the Board believes otherwise, please advise.

**REGIONAL OFFICES**

• 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •  
• 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

5. All uses on the site are pre-existing. The gasoline station and car wash are existing Special Permit uses. The Board should decide if a public hearing is necessary for this Site Plan Amendment, and the reorientation of the Special Permit uses.
6. The plan includes the relocation/realignment of the Town sewer thru the site. This is shown on the Utility Plan (sheet 3). The Town Sewer Supt. has accepted the layout. New easement documents have been prepared and submitted to the Town. I will forward these to the Town Attorney for action.
7. The Board's secretary should verify the status of Lead Agency and the SEQRA review process. Action may be appropriate by the Board at this time.
8. It is my understanding that, since this application pre-existed the new referral requirements of the Orange County Department of Planning (referrals per GML 239), the Board has determined that I need not refer this application to the County for action. If the Board determines otherwise, please advise.
9. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Chapter 137 of the Town Code.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW04-22-24Aug05.doc



PROJECT: Exxon Mobil Site Plan P.B. # 04-22

Need Best Estimate  
No O.C. Planning  
Need Citty To Sign off  
Conditional

August 24, 2005

3

REGULAR ITEMS: \_\_\_\_\_

EXXON-MOBIL\_SITE\_PLAN\_&\_SPECIAL\_PERMIT\_(04-22)

---

Mr. Greg Meese appeared before the board for this proposal.

MR. PETRO: Exxon-Mobil site plan, special permit Route 94, proposed renovation of the existing service station. Application proposes the reconstruction of facility with new gas pumps, retail building and car wash. The plan was previously reviewed at the 8 September, 2004 and 10 November, 2004 planning board meetings. You were referred to the ZBA for necessary variances, it is our understanding that the necessary variances were granted on 6/27/05 which would verify that all necessary variances would be obtained, is that true?

MR. MEESE: That's correct.

MR. PETRO: It's on the plan?

MR. MEESE: Yes, they're stated on the plan.

MR. PETRO: Just tell us what they were quickly.

MR. MEESE: There was a host of sign variances in terms of the area variances, there's front yard setback, height for the car wash relative to the side yard setback and other than the, I think that was it, then there was a bunch related to the signage that was all approved.

MR. PETRO: Mark, what do you have on this? Where are we and what do you want to do?

MR. EDSALL: Actually, it's in good shape, I think my comment 2 is just noting that there was some discussion while they're at the ZBA and refining their plan to

make some minor adjustments such as proposing to move the vacuum air and water component over near a pocket in the curbing alignment on the exit side of the car wash, that seemed to get it out of the way and it seemed to be more functional. They have refined the dumpster enclosure requirements, they have agreed that it would be appropriate to have recess lighting on the canopies, so all the little items were discussed and cleaned up if there was anything in addition to that.

MR. MEESE: I think that those were the changes that you recommended from the workshop, they were all incorporated on the plan.

MR. EDSALL: So we've got that and we've got as part of the variances just get a confirmation, one of the issues the ZBA dealt with was parking and the issue that always seems to come forward that if a vehicle is parked to both purchase gasoline and then purchase something from the convenient store does the space at the pump count as a parking space. The ZBA seems to have accepted that as an acceptable parking space, I don't know if that was via a variance or whether or not they just came out with an interpretation.

MR. MEESE: There was no variance called out for that.

MR. EDSALL: They just accepted that as an acceptable way of making the calculation. So it's always been one that we thought should be considered and they have accepted the plan as forwarded over. We did not send it to DOT cause ultimately they did not propose any changes to the curb cuts and the uses are all identical, it did not have to go to Orange County Planning because in fact their application was submitted before the change in the intermunicipal agreement which now requires that referrals be made per GML 239 that did not have to go, we need to find out from the agency where we stand with SEQRA and for the record I would suggest that you make a determination if

you need a public hearing here or not, they obviously had one at the ZBA, there are no new special permits, they're just reconfiguring the sites, so I think the record should be clear as to whether or not you want to have one or not, other than that, they have straightened everything out, just need a bond estimate.

MR. SCHLESINGER: What's the required parking spaces?

MR. EDSALL: It's based on the retail and then the gasoline station was eliminated and we've got the car wash, so came down to retail and car wash, car wash requires four plus at least four or excuse me, seven stacking spaces on the access to the car wash and the retail needed 22 or I'm sorry yeah 22 so it's 22 plus the four for the car wash with a total of 26 and that's what they have provided, 16 of which are at the pumps, ten of which are in front of retail.

MR. MEESE: And the seven stack in behind.

MR. EDSALL: Provided at the car wash access, yes.

MR. PETRO: I will entertain a motion for lead agency.

MR. SCHLESINGER: I'll make a motion that we, the New Windsor Planning Board be lead agency for the Exxon-Mobil site plan.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Exxon-Mobil site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE

MR. GALLAGHER        AYE  
MR. MINUTA            AYE  
MR. PETRO             AYE

MR. PETRO: Now, Mark, the gasoline station and car wash are existing special use permits but there's really nothing changing there as far as the use?

MR. EDSALL: Correct, the use is identical, this is in my mind a site plan change but I think you should make the record clear if you decide to waive the public hearing that you deemed it that there's no change to the special permit therefore you're not--

MR. PETRO: No increase or lessening of the use that's what we're doing already.

MR. EDSALL: Virtually the same except for rearranged.

MR. SCHLESINGER: Using the same curb cuts?

MR. EDSALL: Yes, exactly the same.

MR. MEESE: Actually reduction in the number of fueling locations.

MR. PETRO: As far as public hearing, gentlemen, I just don't see the purpose for having a public hearing when every use is there to start with, just rearranging on the same site, the same uses, nothing's changing, the neighbors would be not impacted any differently than they are now. The curb cuts aren't changing. I just don't think that it's necessary in this case.

MR. BABCOCK: Jim, I think at the public hearing at the zoning board I don't think there was anybody in the audience that spoke on this project.

MR. PETRO: So unless somebody disagrees with me, entertain a motion to waive the public hearing.

August 24, 2005

7

MR. SCHLESINGER: I'll make a motion to waive the public hearing for the Exxon-Mobil site plan.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Exxon-Mobil site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. GALLAGHER	AYE
MR. MINUTA	AYE
MR. PETRO	AYE

MR. PETRO: Planning board should require that a bond estimate be submitted for this site plan in accordance with Chapter 137 of the Town Code. You're going to have to do that. It's not going to Orange County Department of Planning, it's pre-existing, the new referral requirements, and we just did lead agency. Entertain a motion for negative dec.

MR. SCHLESINGER: I'll make that motion for negative dec for the Exxon-Mobil site plan.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant a negative dec under the SEQRA process to the Exxon-Mobil site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL



August 24, 2005

8

MR. SCHLESINGER     AYE  
MR. MASON           AYE  
MR. GALLAGHER      AYE  
MR. MINUTA          AYE  
MR. PETRO           AYE

MR. PETRO: We went over the parking, the sewer line goes through the site but the Town Superintendent has accepted the layout. That will have to be in place before we sign the plans, you understand that?

MR. MEESE: Yes.

MR. EDSALL: The attorney has those, Mr. Chairman, I met with him today.

MR. PETRO: Mark, do you have negative else?

MR. EDSALL: No, I would think that if it's acceptable, you could move for a conditional approval subject to the submittal of the site cost estimate, acceptance of the utility or sewer easement relocation by the Town attorney and payment of the regular fees.

MR. PETRO: Can I have a motion to this effect?

MR. SCHLESINGER: I'll make a motion that we give conditional approval based upon the exceptions that Mark just stated into the minutes.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant conditional final approval to the Exxon-Mobil site plan amendment in Vails Gate with the conditions, the three conditions Mr. Edsall read in prior. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

August 24, 2005

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MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. GALLAGHER	AYE
MR. MINUTA	AYE
MR. PETRO	AYE

ZONING BOARD OF APPEALS

Regular Session

November 24, 1997

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of the 11/10/97 meeting as written if available. *APPROVED*

Correspondence- Denhoff Development - Request for additional extension of one year for sign area and use variance (see attached background) *APPROVED*

PRELIMINARY MEETING:

- TUP*  
*R P/H*
1. DIAZ, FRANK - Request for 17 ft. side yard variance to construct addition at 290 Lake Road in an R-4 zone. (58-2-3.1).

PUBLIC HEARING:

- APPROVED*
2. TOYOTA OF NEWBURGH, INC. - Request for 17 ft. sign width variance for facade sign at 96 (2934) Route 9W (showroom) located in an NC zone. Present: Rich Gaillard. (48-3-2.2).
  3. MOBIL OIL CORP. - Request for 30 ft. front yard, 7 ft. rear yard and 14 ft. maximum building height variance for proposed new structure at Five Corners in a C zone. (69-4-26.2).

Formal Decisions: (1)

← PLANNING BOARD FILE

Pat - 563-4630 (o)

562-7107 (h)

FAN MOTOR OVER COURT ROOM

B2.

**ZONING BOARD OF APPEALS**

Regular Session  
October 27, 1997

**REVISED AGENDA:**

7:30 PM - ROLL CALL

Motion to accept minutes of the 09/22/97 meeting as written if approved

**PRELIMINARY MEETING:**

ET UP  
OR P/H

1. WALSH, JOHN - Request for 6 ft. side yard variance to construct a detached garage at 26 Clarkview Road in an R-4 zone. (6-1-14).

ET UP  
OR P/H

2. JACZKO, ROBERT - Request for 3 ft. side yard variance to construct a 26 x 28 attached garage at 18 Haight Drive in an R-4 zone. (70-1-17.1).

ET UP  
OR P/H

3. VANDER MAAS, BRIAN - Request for 8 ft. rear yard variance for existing 12 x 24 deck at 12 Truex Drive in an R-4 zone. (70-1-15.3).

T UP  
R P/H

4. MOBIL OIL CORP. - Request for 30 ft. front yard, 7 ft. rear yard and 14 ft. max. bldg. height variance for proposed new structure at Five Corners in Vails Gate. Present: Danius L. Virbickas, P.E. of Tyree Engineering. (69-4-26.2). — Nothing in File

T UP  
R P/H

5. POLYWORKS, INC. - Request for Interpretation concerning Sec. 48-24(B)3 of Zoning Code - expansion of existing non-conforming use and proposed setback and parking for location on Corporate Drive (off Rt. 32 to the rear of U-Haul) in a C zone. Present: Anthony Cappola. (35-1-54.21). nothing in file

T UP  
OR P/H

6. YONNONE, VINCENT - Request for 29 ft. front yard variance to install canopy at service station located on e/s of Route 9W in NC zone. (37-1-16.1).

**PUBLIC HEARING:**

PROVED

7. HOTALING, RICHARD - Request for area variance in variation of bulk regulations in R-4 zone to allow six additional dogs at 95 Myrtle Avenue. (15-4-28.1)

PROVED

8. FRANKLIN ASSOCS./DESTINTA THEATRES - Request for 5 ft. 6 in. sign height and 8 ft. sign width variance for a wall sign, plus 19 ft. height and 1,346 s.f. sign area variance for pole sign for proposed theatre located at 217 Quassaick Avenue (formerly Foodtown) in an NC zone. (23-1-53.1).

PAT - 563-4630 (O)  
562-7107 (H)

RECEIVED

OCT 24 1997

BUILDING DEPARTMENT

RECEIVED

OCT 27 1997

BUILDING DEPARTMENT



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4630  
Fax: (914) 563-4693

October 27, 1998

RECEIVED

OCT 27 1998

BUILDING DEPARTMENT

Tyree Engineering, P. C.  
125 Commerce Drive  
Brookfield, CT 06804  
Attn: Ms. Rachel A. Mayo

Re: Application of Mobil Oil Corp.  
ZBA File #97-38

C. 20-4-60

Dear Rachel:

Please be advised that the Zoning Board of Appeals at its October 26, 1998 meeting acted on the request to extend the above-entitled variance for one year. Therefore, the variance will expire on January 26, 2000.

Very truly yours,

Patricia A. Barnhart  
Secretary to the ZBA

/pab

cc: Building Inspector Babcock

## NEW WINDSOR ZONING BOARD OF APPEALS

69-4-26.2

In the Matter of the Application of  
**MOBIL OIL CORPORATION**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCES

#97-38.

**WHEREAS, MOBIL OIL CORPORATION**, a corporation having an office at 3225 Gallows Road, Fairfax, VA 22037 has made an application before the Zoning Board of Appeals for 30 ft. front yard, 7 ft. rear yard and 14 ft. maximum building height variances for construction of proposed new structure located at Five Corners in Vails Gate, New Windsor in a C zone; and

**WHEREAS**, a public hearing was held on the 24th day of November, 1997 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared before the Board by Gerald Jacobowitz, Esq. and Dainius Virbickas, P. E.; and

**WHEREAS**, there were two (2) spectators appearing at the public hearing; and

**WHEREAS**, both spectators spoke in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.
2. The evidence presented by the Applicant showed that:
  - (a) The property is located in a commercial, C, zone in a commercial.
  - (b) The property is located in one of, if not the busiest commercial road intersection in the Town of New Windsor.
  - (c) The use of this premises is an allowable use.
  - (d) In 1991 the Zoning Board of Appeals granted four variances for this property. The

Applicant's plan, if granted, would eliminate three of those four variances which variances the Applicant has agreed to abandon and that they will be null and void and of no effect.

(e) The property is located on a corner and, therefore, due to its peculiar configuration has legally speaking, two front yards.

(f) The Applicant proposes to construct a new convenience building on the property, eliminate the existing car wash, reduce the size of the existing canopy and remove some of the gasoline dispenser islands.

(g) The variances if granted would allow the construction of a convenience facility with additional safety features including the attendant's ability to view all gasoline dispenser islands and gasoline dispenser emergency shutoff switches.

(h) The canopy intended by the Applicant, if the variances are granted, will contain fire suppression equipment.

(i) If the variances are granted, none of the proposed structures would interfere in any way with any easement on the property including a sewer easement presently existing in favor of the Town.

(j) The building height variance is requested by the Applicant because the building height is limited by its set back from the property line.

(k) The variances if granted would permit a canopy which would be no taller than the present canopy. The variances if granted would allow the construction of a canopy further from the road thus improving the safety of the motorists using that intersection.

(l) One of the previous variances, that for a 4 ft. front yard variance on the side facing NYS Route 32, will remain but it neither increases nor decreases if the present variances requested are granted.

(m) The variance previously granted for lot area is also retained by the Applicant but the granting of the instant requests will neither increase nor decrease that previously granted variance.

(n) The sign variances previously granted will remain although the new signage is proposed to be constructed by the Applicant which will be less than the existing signs.

(o) The objectors have an ownership interest in the adjoining property presently used by Pizza Hut.

(p) Objections were made to the present variance applications because they were for a purpose that would generate more traffic than currently exists thus injuring the interest of the objectors.

(q) No other property owners or tenants having their property on the intersection or adjacent to this Applicant, or in fact anywhere, objected or appeared at the hearing.

(r) The variances if granted will result in the site having no more gasoline pumps than it presently does.

(s) The Applicant's property is at the corner of two New York State highways and before construction can be commenced on these property even if the variances are granted, the Applicant is aware that it is subject to site plan approval by the New Windsor Planning Board.

(t) The unusual configuration of the property together with the existence of a sewer easement makes this property, and the problems of locating improvements thereon, unique.

(u) The variance requests, if granted, would result in a decrease of the developed area of the lot.

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted due to the peculiar nature of the property.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed because of the peculiar nature and location of the property.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.



9. The variances previously granted to this Applicant for this piece of property, i.e. (1) 1,830 s.f. lot area, (2) 36 ft. front yard on Route 94 (canopy), (3) 4 ft. front yard on Route 32 (canopy), and (4) 3 ft. side yard (canopy) under Application #91-23, are hereby deemed abandoned, are null and void and of no effect and shall not inure to the benefit of the owner of this property.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT the following area variances: 30 ft. front yard, 7 ft. rear yard and 14 ft. maximum building height variances for proposed new structure at Five Corners in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 26, 1998.

---

Chairman

ZONING BOARD OF APPEALS  
Summer Session  
August 10, 1992

REVISED AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of 6/22/92, 7/13/92 meeting and 7/27/92 meeting (if available).

PRELIMINARY MEETING:

1. BAKER, MEREDITH E./LEDWITH, JOHN - Request for 79 ft. rear yard variance on existing deck located at Vails Gate Hgts. Drive in an R-5 zone. (71-1-20).

2. MOBIL OIL CORP. - Request for two free-standing signs (only one permitted) with ~~144.6~~ s.f. sign area variance for free-standing signs, 128.7 s.f. sign area variance for wall sign and three set back variances as follows: Sign #1-14 ft, Sign #2-12 ft., Sign #3-13 ft. (signs must be 15 ft. from any lot line) for Mobil Oil signs located at Five Corners in Vails Gate in a C zone.

PUBLIC HEARING:

3. ESTATE OF DIO GUARDIA - Request for 4,743 s.f. lot area variance in order to meet bulk regulations for buildable lot located on Hillcrest Drive in an R-4 zone. Present: Douglas Stage, Esq. (59-1-6).

FORMAL DECISIONS: (1) DRENNEN/PILLITERI  
(2) BETTS  
(3) DI GISCO  
(4) DE COUTO  
(5) SORBELLO

APPROVED

PAT - 562-7107 (H)  
563-4630 (O)

908-668-8300

CALLED 8-18-92

1:00

HE WILL CALL BACK

91-23

92-25

97-38

ZONING BOARD OF APPEALS  
Regular Session  
September 14, 1992

AGENDA: (REVISED)

7:30 P.M. - ROLL CALL

Motion to adopt minutes of 8/10/92 and 8/24/92 meetings if available.

PRELIMINARY MEETING:

*SET UP FOR P/H* 1. MOBIL OIL CORP. - 2ND PRELIM. Request for (1) 162.4 s.f. sign area variance for 5 freestanding signs, (2) 36.4 s.f. for 7 wall signs, (3) 13 ft. setback from lot line for Sign #1, (4) 14.2 ft. setback from lot line for Sign #2 and (5) not more than one freestanding sign permitted. Location: 5 Corners in Vails Gate. (69-4-26.2). Present: Gary Hughes.

*TABLE* 2. BELINSKY/NOGRADY - Request for (1) 17 s.f. sign area variance for 2 free-standing signs, (2) 14 ft. setback from lot line, (3) approval for more than one sign per lot, for Windsor Counseling Service located on Route 94 in an NC zone. (19-4-60.1).

*SET UP FOR P/H* 3. CLANCY, MARTIN - Request for 10 ft. side yard variance to construct a carport at 29 Park Hill Drive in an R-4 zone. (8-2-10).

*SET UP FOR P/H* 4. WINDSOR ENTERPRISES, INC. - Request for 60 s.f. sign area variance for freestanding sign (Salon/Deli/Pizza) located at corner of Caesar's Lane and Rt. 9W in an NC zone. (~~37-1-35.32~~). Present: James R. Petro, Jr. 37-1 34

*SET UP FOR P/H* 5. WINDSOR ENTERPRISES, INC. - Request for 94 s.f. sign area variance for freestanding sign (Auto X Press) located at intersection of Caesar's Lane and Rt. 9W in an NC zone. (~~37-1-34~~) 37-1 - 35.32

PUBLIC HEARING:

*APPROVED* 6. SCHUMACHER, LOUISE - Request for 47 ft. rear yard variance to construct addition to residential dwelling located at 1425 Route 207 in an R-1 zone. (55-1-3).

*APPROVED* 7. BELLO, STEPHEN & CHRIS - Request for 5 ft. side yard for existing deck located at 368 Byron Lane in an R-4 zone. (75-8-4).

DISCUSSION - NEXT MEETING DATE.

FORMAL DECISIONS: (1) ESTATE OF DIO GUARDIA *APPROVED*  
(2) ANDRE MGRIN

PAT - 563-4630 (O)  
562-7107 (H)

ZONING BOARD OF APPEALS  
Regular Session  
October 5, 1992

AGENDA:

7:30 P.M. - ROLL CALL

*APPROVED*

Motion to adopt minutes of 8/24/92 and ~~09/14/92~~ minutes as written if available.

PRELIMINARY MEETING:

- ET UP*  
*C P/H* 1. AQUINO, JACK/MELICK, GREG - Request for sign area and height variances for three (3) wall signs (VIDEO RANGER): (1) Sign #1 - 55 s.f. area with 6 in. height; (2) 10 s.f. area with 6 in. height; (3) 10 s.f. sign area with 6 in. height, at location Route 32 in C zone. (65-2-24). REVISED 10-5-92 SEE DISAPPROVAL
- ET UP*  
*C P/H* 2. BONURA, MARY - Referred by Planning Board. Request for 20 ft. front yard variance for setback for canopy located on Rt. 9W at Anthony's Pier 9 in an NC zone. Present: Marshall Rosenblum. (37-9-25, 26 & 27). REVISED 10-5-92 SEE DISAPPROVAL

PUBLIC HEARING:

- APPROVED* 3. MOBIL OIL CORP. - Request for (1) 162.4 s.f. sign area variance for 5 freestanding signs, (2) 36.4 s.f. for 7 wall signs, (3) 13 ft. setback from lot line for Sign #1, (4) 14.2 ft. setback from lot line for Sign #2 and (5) not more than one freestanding sign permitted. Location: 5 Corners in Vails Gate. (69-4-26.2). Present: Chris Richter.
- ABLE FOR*  
*P.D.* 4. CARROLS CORP. - Request for 152 s.f. sign area variance for Burger King located on Rt. 32 in C zone. Present: Sharon Rud. (65-2-12).
- ABLE FOR*  
*P.D. AND* 5. WINDSOR ENTERPRISES, INC. - Request for 60 s.f. sign area variance for freestanding sign (Salon/Deli/Pizza) located at corner of Caesar's Lane and Rt. 9W in an NC zone. Present James R. Petro, Jr. (37-1-34).
- AT AGENDA*  
*3-26-92*

- ABLE FOR* 6. WINDSOR ENTERPRISES, INC. - Request for 94 s.f. sign area variance for freestanding sign (Auto X Press) located at intersection of Caesar's Lane and Rt. 9W in an NC zone. Present: James R. Petro, Jr. (37-1-35.32).
- AT AGENDA*  
*3-26-92*

FORMAL DECISIONS: ~~(1) NEWCOMB~~  
~~(2) DANIAS~~ *NEXT AGENDA*

PAT 563-4630 (O)  
562-7107 (H)

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NJ, NY BARS

MATTHEW S. ROGERS  
NJ BAR  
OF COUNSEL

MARK W. GREENE  
NJ, NY, PA BARS  
OF COUNSEL

PAUL A. CONCIATORI  
NJ, NY BARS  
OF COUNSEL

REGINALD JENKINS, JR.  
NJ BAR

MICHAEL K. BREEN  
NJ, NY BARS

CONSTANTINE STAMOS  
NJ, NY BARS

MARIA CRISTIANO ANDERSON  
NJ, NY, PA BARS

FRANK FERRARO  
NJ, NY BARS

MOIRA TOMASELLA  
NJ, NY BARS

LYNNE DeLISI  
NJ, NY, CO BARS

JEFFREY L. LOVE  
NJ, NY BARS

September 21, 2004

Via Fed Ex

Ms. Myra Mason  
Secretary, Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553-6196

**Re: Exxon Mobil Corporation  
1001 Route 94  
PA2004-0467**

Dear Ms. Mason:

As we discussed, I reviewed the Town Clerk's files regarding the prior approvals granted to the Mobil station as requested by the Town Engineer. Enclosed herewith please find a copy of the prior resolutions involving the site.

Please note that the project engineer is completing revisions to the plans as recommended by the Town Engineer and we would therefore like to schedule a meeting with him to review the project and to obtain the referral to the Zoning Board of Appeals. Please inform me when he is available to have a conference with us. Thank you.

Very truly yours,

  
Gregory D. Meese

gdm/encl.

cc: Mr. Michael Bianco  
Brian Shortino, P.E.

P.B. #04-22

-----X  
In the Matter of the Application of

MOBIL OIL CORPORATION,

DECISION GRANTING  
SIGN VARIANCE

#92-25.  
-----X

WHEREAS, MOBIL OIL CORPORATION, a corporation with offices located at 50 Broadway, Hawthorne, N. Y. 10532, has made application before the Zoning Board of Appeals for (1) 162.4 s.f. sign area variance for five, free-standing signs, (2) 36.4 s.f. sign area variances for seven wall signs, (3) 13 ft. setback from lot line variance for sign #1, (4) 14.2 ft. setback from lot line variance for sign #2 and (5) four free-standing sign variances to allow a total of five free-standing signs in a zone where only one free-standing sign is permitted, all to be located at its premises fronting on both NYS Route 32 and NYS Route 94 at Five Corners, Vails Gate location in a C zone; and

WHEREAS, a public hearing was held on the 5th day of October, 1992, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant was represented at said public hearing by Gary Hughes, project engineer for Mobil Oil Corporation, Christopher Richter of Bohler Engineering, both of which spoke in support of the application; and

WHEREAS, application was opposed by Herbert Slepoy of Apache Associates which owns the real property on which a nearby Pizza Hut restaurant is located. Mr. Slepoy's agent, Gregory Shaw, P.E. of Shaw Engineering, appeared at the said public hearing on behalf of Mr. Slepoy and presented a letter dated October 2, 1992 which stated that Mr. Slepoy objected to the gasoline pricing sign on Route 94 which was proposed by Mobil Oil to be attached to a light pole at the rear of the station within a seven foot setback from Route 94. Mr. Shaw stated that his client was opposed to said sign because it would impair the visibility of the Pizza Hut restaurant from Five Corners. Mr. Shaw felt that Pizza Hut's visibility already was impaired by Mobil's previous construction of a car wash and equipment building, and said sign would further impair Pizza Hut's visibility; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicant is seeking to vary the

provisions of the bulk regulations pertaining to sign area for free-standing signs, sign area for wall signs, setback from lot line for signs, and total number of free-standing signs in order to construct free-standing signs, building signs (including Pegasus disks) on buildings and canopies, and interior signs on pump islands on its site located at the intersection of NYS Route 32 and NYS Route 94 at Five Corners in Vails Gate.

3. Applicant's proposed sign area exceeds the bulk regulations for signs in the C zone by a total of 162.4 s.f. for the five free-standing signs by a total of 36.4 s.f. for the seven wall signs, and by locating sign number one 13 ft. too close to the lot line, and by locating sign number two 14.2 ft. too close to the lot line, and by proposing four free-standing signs in addition to the one free-standing sign permitted in the C zone and variances are required for more than the allowable free-standing sign area, for more than the allowable wall sign area, and for insufficient sign set back from the lot lines and for an excess number of free-standing signs in order to allow construction thereof.

4. The evidence presented and the Board's familiarity with the area shows that Five Corners in Vails Gate, at the Mobil Oil site, is a well-traveled and complex intersection of three major arteries (NYS Route 32, 94 and 300) at the five-cornered intersection which carries a high volume of traffic (some of which is relatively fast-moving through traffic) and has inherent problems with turning traffic and traffic flow. In addition, the existing complex directional signage and pavement markings and signage for many existing businesses at and near all five corners creates a need for very clear and instantly recognizable signage to identify the location of area businesses at this intersection and such signage is absolutely essential to avoid adversely impacting traffic at this complex intersection.

5. The evidence presented by the applicant further indicated that a recent redesign of the Five Corners intersection by the NYS Department of Transportation adversely impacted the applicant by moving the curbs in towards the applicant's site, by taking some of the applicant's corner property, and by relocating a very large traffic light pole and wires to a position which partly obscures applicant's sign at the corner of NYS Route 32 and 94.

6. The evidence presented by the applicant also indicated that the proposed signage is specifically critical at the Five Corners because of the amount of other signs in the area as well as the complexity of the intersection. Applicant presented illustrations of the other signs which appear on adjacent and nearby parcels at the intersection, showing square footage as well as other specific information on setbacks and encroachments into the rights-of-way. It appeared from analyzing this data that the applicant's sign package, although involving substantial variances, does not unduly expand upon applicant's existing signage nor upon signage for other nearby businesses, and is less intrusive and less confusing than much of the existing signage near the intersection since it is smaller in size and set back further from the right of way than much of the existing signage in the area.

7. The information submitted by the applicant showed that the recent redesign of the applicant's property from a traditional gas station with automotive service into a Mobil self-service station with Mobil Mart retail store and car wash has created the need for new signage to identify the several new operations on the site. In addition, since gasoline sales are price sensitive, the applicant indicated that display of pricing information on both its road frontages was absolutely essential to its operation on the site. The applicant responded to this Board's concern about excessive signage by eliminating entirely a free-standing sign at the southeast corner of the property adjacent to NYS Route 32 which would have displayed the Mobil logo and pricing information. In addition, the applicant offered to further ameliorate the impact of its sign package by agreeing to limit the information displayed on the free-standing sign at the northwest corner of the property, adjacent to NYS Route 94 by restricting said sign to the display of the Mobil logo on two sides and pricing information on two sides. The applicant indicated that this sign was necessary to make said data visible and traffic on NYS Route 94. This proposed sign in this location is smaller than the existing signage.

8. The information presented by the applicant indicated that the free-standing sign at the northeast corner of the property at the intersection of NYS Route 32 and 94 was necessary to identify the site and gasoline prices and service to traffic on NYS Route 32 and 300.

9. The applicant also indicated that the wall signs were necessary for identification of the site and of new goods and services available on the site. The interior signs on the pump islands were designed to allow the applicant to market items at the site without impacting the roadway system and making the road signage more confusing. It is this Board's finding that the signage package as reduced and conditioned by the applicant has ameliorated the adverse impacts of signage on the public health, safety, and welfare while at the same time giving the applicant reasonable exposure for its operations at the site.

10. This Board has considered the objections of Herbert Slepoy and his agent, Gregory Shaw, P. E. and finds that the same do not warrant denial of variances pertaining to the sign to be located at the northwest corner of the property adjacent to NYS Route 94. It should be noted for the record that the property on which Pizza Hut is located and the applicant's property, are not adjacent parcels; there is a narrow intervening parcel owned by a third party. The impairment of visibility of the Pizza Hut restaurant from the Five Corners is not so much a function of the recently constructed Mobil Car Wash and equipment building (which it must be noted were constructed within the parameters of the Zoning Local Law since variances pertaining to the said car wash were previously denied by this Board by its decision dated September 23, 1991, File No. 91-23, and said car wash was redesigned and built in a conforming manner) but from the layout of the Pizza Hut site which places the building considerably back from the road and lower than the road. In addition, the top of the proposed Mobil sign in question is located lower than the bottom of the closest Pizza Hut sign and said Pizza Hut sign is twice the size



of the Mobil sign, thus this Board finds that the proposed Mobil signage will have a negligible impact upon the visibility of the Pizza Hut restaurant and signage.

11. The evidence furnished by the applicant and this Board's familiarity with the area further shows that clear, easily recognized signage is especially critical in this area of Five Corners because of the complex intersection, the high volume of traffic - both fast moving through traffic and slow turning traffic - and because the recent redesign of the intersection and the reconstruction at the applicant's property with a new configuration of buildings offering added services and goods and new traffic patterns, new, well-designed, and instantly recognizable signage is absolutely essential. It is the finding of this Board that the sign package presented, after the applicant ameliorated some ill effects, by reducing the same and conditioning the same, will minimize the hazards to the public health, safety and welfare, and at the same time provide the applicant with necessary exposure for its operation on the site.

12. The evidence presented further showed that the proposed signage will facilitate ready identification of the applicant's property by passing motorists.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The premises are used for uses permitted in the C zone which is consistent with the character of the neighborhood. The proposed signage is consistent with the character of the neighborhood and is closer to conforming to the bulk requirements than signage on some neighboring properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variances are substantial in relation to the bulk regulations for sign area for free-standing signs, sign area for wall signs, set back from lot lines for signs and number of free-standing signs permitted on a site. However, it is the conclusion of this Board that the granting of the requested substantial variances are warranted here because the proposed signage is a reasonable balancing of the applicant's need to identify the applicant's expanded operation on the site and the need to protect the health, safety and welfare of the public near a busy and complex intersection which already contains considerable signage, much of which is even more substantially violative of the bulk regulations. It is also the conclusion of this Board that the proposed signage, which is consistent with Mobil's standard sign package, is more readily identified by passing motorists and this is a benefit to the public in that it allows a quick perception of the signage, which allows a motorist time to decide whether to stop at the applicant's property, and to react to that decision without adversely impacting

other traffic. This benefit can only be achieved by granting the substantial variances sought herein.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is not self-created, or is only partially self-created. The recent redesign of the Five Corners intersection by the NYS Department of Transportation and the resulting taking of part of the applicant's corner property and the redesign of its curb cuts are all difficulties that were not self-created. The rebuilding of the facilities and the expanded use of the site were self-created difficulties but they represent a reasonable conforming use of the applicant's property in the C zone (retail stores are permitted by right therein and gasoline filling stations are uses permitted by special permit therein). The signage is incidental to this use and is reasonable in these circumstances.

6. It is the finding of this Board that the benefit to the applicant, if the requested sign variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested sign variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested sign variances.


NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) 162.4 s.f. sign area variance for five free-standing signs, (2) 36.4 s.f. sign area variance for seven wall signs, (3) 13 ft. setback from lot line variance for sign #1, (4) 14.2 ft. setback from lot line variance for sign #2, (5) four free-standing sign variances to allow a total of five free-standing signs in a zone when only one free-standing sign is permitted, upon the condition that free-standing sign #2 shall be restricted to the display of the Mobil logo on two sides and pricing information on two sides, at the above location in a C zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: December 28, 1992.

  
Chairman

(ZBA DISK#8a-050388.fd)

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

69-4-26.2  
(ZBA DISK #7-092091.FD)

-----X  
In the Matter of the Application  
of

MOBIL OIL CORPORATION

DECISION GRANTING  
AREA VARIANCES AND  
DENYING OTHER AREA  
VARIANCES

#91-23.  
-----X

WHEREAS, MOBIL OIL CORPORATION, maintaining a place of business at 50 Broadway, Hawthorne, N. Y. 10532, has made application before the Zoning Board of Appeals for the following area variances: (1) 1,830 sq. ft. lot area, (2) 21 ft. front yard (car wash), (3) 36 ft. front yard on Route 94 (canopy), (4) 4 ft. front yard on Rt. 32 (canopy), (5) 3 ft. side yard (canopy), (6) 13 ft. rear yard (car wash), and (7) 6.5 ft. building height (car wash), in connection with a proposed rebuilding of applicant's service station at Five Corners, Vails Gate, Town of New Windsor in a C zone; and

WHEREAS, a public hearing was held on the 22nd day of July, 1991 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant was represented at said public hearing by Scott Kartiganer, P. E. of Kartiganer Associates, P. C., its engineering firm, and by Gary Hughes of Mobil Oil Corporation, and by Tom Florio, of Advanced Automotive, the lessee of Mobil Oil Corporation at this site, and by John Knox, of Ryco, the firm Mobil Oil Corporation engaged in connection with the proposed car wash at this site, all of whom spoke in support of the application; and

WHEREAS, the public hearing was attended by a number of spectators who spoke in connection with the application, to wit, Greg Shaw, P. E., representing Fred Gardner and Herbert Slepoy, co-owners of a nearby parcel of real property, who objected to the proposal on the grounds that his clients property is some 5 ft. lower in elevation than the applicant's site and that if the variances on the proposed car wash are approved, the Pizza Hut Restaurant located upon his client's real property would no longer be visible from the Five Corners intersection and that, the proposal would generate traffic flow problems both upon the site and at the Five Corners; and that the applicant simply proposes to put too much on this site; and that variances should not be granted to the applicant which would result in diminishing the visibility of his client's property; and that granting the variances on the car wash would diminish the attractiveness of Vails Gate as a business area; and that water discharging from the applicant's site would ultimately flow onto his client's property (Mr. Hughes offered to redesign the flow path to direct the water towards the front of the property in response to this objection); and by Fred Gardner, one of the co-owners of the nearby real property upon which the Pizza Hut Restaurant property is located, who objected to the variances sought for the car wash

on the grounds that the applicant was unable to show significant economic injury warranting the granting of the variances for the car wash on the basis that the applicant was not pumping an insufficient amount of gas from the site at the present time which would warrant construction of the car wash to improve his profitability (at which point Mr. Hughes agreed that the applicant was not pumping an insufficient amount of gas at the site to ensure its profitability); and that water run off from the car wash would ultimately be received on his property; and that the reduction of the access to Route 94 to a single curb cut would cause additional traffic problems; and by Carmine Andriuollo, the owner of a service station located upon the same road as the applicant and approximately one-third mile distant therefrom, who objected to the variances pertaining to the car wash (but not the variances pertaining to the gas station and convenience store) upon the basis that the location for the car wash was inappropriate in that it would generate too much traffic at the already congested Five Corners intersection and that too many variances were needed to construct the proposed car wash; and by Herbert Slepoy, one of the co-owners of the nearby real property upon which the Pizza Hut Restaurant is located, who objected to the variances required for the proposed car wash on the grounds that simply too many variances were needed in order to construct the car wash; and that, since the existing gas station is already successful, the applicant is merely seeking more profit at the expense of the general public and the applicant's neighbors; and that the proposed car wash would generate many traffic problems which he felt the NYS Department of Transportation had not fully considered in its recent redesign of the Five Corners intersection; and by Floyd Scholz, who is affiliated with the McDonald's Restaurant, which is adjacent to the applicant's site, who did not object to the applicant's proposals but was concerned that the new canopy would not impair the visibility of the McDonald's Restaurant (and it appeared that since the proposed canopy would be set back further than the present canopy, apparently the visibility of McDonald's Restaurant would be improved if the necessary variances were granted); and by Carl Schiefer, Chairman of the Town of New Windsor Planning Board who indicated that the plan now before the Zoning Board of Appeals was selected primarily upon the basis of optimal traffic flow within the site; and that the Planning Board had not been presented with, nor did they consider, the objections now being raised by the public concerning the applicant's proposed plan; and that other plans proposed by the applicant might have called for lesser variances in regard to the car wash but such plans were not deemed desirable considering the issue of traffic circulation; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The evidence shows that the applicant is seeking permission to vary the provisions of the bulk regulations

pertaining to lot area, front yard (car wash), front yard on Route 94 (canopy), front yard on Route 32 (canopy), side yard (canopy), rear yard (car wash), and building height (car wash) with regard to the proposed rebuilding of applicant's existing service station by removing entirely the existing building with automotive service, pumps and tanks, and to build an entirely new, smaller gas station/convenience store, pumps and tanks as well as add a car wash, in a C zone.

3. The evidence presented by the applicant substantiated the fact that variances for less than the allowable front yard (car wash), front yard on Route 94 (canopy), front yard on Route 32 (canopy), side yard (canopy), rear yard (car wash), and building height (car wash) would be required in order to allow the proposed rebuilding of applicant's service station which otherwise would conform to the bulk regulations in the C zone./

4. The evidence presented by the applicant indicated that it received area variances from the Zoning Board of Appeals on January 11, 1982 to locate the existing canopies in the required front yards on the site. The applicant's present proposal for front yard and side yard variances for the proposed reconstructed canopies involves a smaller variance request than was previously granted upon this site. Consequently the applicant's proposal would come closer to the bulk requirements than the canopies presently existing at the site.

5. The evidence presented by the applicant indicated that a 1,830 sq. ft. lot area variance became necessary due to the fact that the area within a sewer easement (which the applicant granted to the Town of New Windsor gratis) must now be deducted from the gross lot area. If the area of this sewer easement was not deducted from the gross lot area, no lot area variance would be required in connection with this application. Consequently, this board finds that since the area of the lot remains unchanged, and since the deduction for the sewer easement was the result solely of a change in the applicable local law for computation of lot area, and since the granting of the sewer easement by the applicant to the Town of New Windsor was uncompensated, the applicant certainly will suffer significant economic injury from the application of the new lot area requirements to this lot in the light of the foregoing circumstances.

6. The evidence presented by the applicant indicates that the applicant's proposed rebuilding of its service station really is a proposal to demolish the existing service station, with its auto service facilities, pumps and tanks, in their entirety, move the building location back on the property, and replace it with an entirely new building to service gasoline customers with a convenience store, as well as rebuilding the pumps (same number of pump islands) and tanks, and in addition, add an entirely new car wash facility.

7. The Board finds that the applicant's decision to demolish the existing building, pumps (with canopies) and tanks causes it to lose its status as a nonconforming building

permitted by virtue of the previously granted area variances for the canopies. The applicant's proposal to demolish the existing facilities and replace them with entirely new facilities, in different locations, which creates new nonconformities, does not fall within the "grandfathering" provisions of Zoning Local Law Section 48-25(B). Thus the applicant's application is treated as one for entirely new construction on the subject lot.

8. The applicant now proposes to change its use of the property by eliminating automotive service, adding retail sales at a convenience store, and adding the car wash. The Zoning Board of Appeals has not considered the applicant's proposed change of use on this application since the property is currently in the Design Shopping, C zone, in which retail stores are uses permitted by right and gasoline filling stations and service repair garages are uses permitted by special permit (Table of Use/Bulk Regulations, Design Shopping - C - Zoning District, Column A, Use 1, and Column D, Use 5, respectively). The Board notes that the definition of "gasoline service station" in Zoning Local Law Section 48-37 includes the sale of motor fuels, the sale of petroleum products, as well as washing services. Thus, the change of use proposed by the applicant and the necessary special permit must be addressed by the Planning Board upon its review of the applicant's site plan. This Board has only considered the area variances requested.

9. The evidence presented by the applicant indicated that the proposed rebuilding of its service station was needed for economic reasons in order to upgrade the site to standards for the 1990's in order to remain competitive in the market place; as well as to keep up with new technology in order to continue making a profit and to continue to be competitive in the future by having an appealing looking facility for the long term; the applicant's present service station is some 20 years old, with old pumps and vapor recovery problems; the proposed rebuilding will update all of these outmoded facilities with more profitable facilities equipped with the latest technology; in addition, the applicant seeks to enhance safety on the site in order to improve the public safety and decrease exposure to liability in the event anyone is injured on the site or entering or exiting the site; and the applicant seeks to increase its business by improving visibility at the site by making it more open, more attractive, cleaner and safer.

10. The evidence presented by the applicant further indicated that it proposed to locate car wash on the site for the convenience of its customers, to keep pace with the latest technology, and to make an additional profit. It appeared from evidence at the hearing that the applicant could locate the car wash on some other portion of its lot without any variances at all, or possibly with smaller variances, but, based upon the review of the site plan by the Planning Board, it appeared that safety considerations for internal traffic circulation dictated the site plan now presented to the Zoning Board of Appeals. Alternative locations apparently had less favorable internal traffic flow and may have involved locating facilities over part of the sewer easement and/or causing problems with parking and

turning delivery gasoline tankers. This Board is charged, pursuant to the provisions of Zoning Local Law Section 48-33(B)(1)(b), to grant the "minimum variance" that will allow the applicant a reasonable use of the land or building. It is the finding of this Board that the applicant can continue to use its land as a gas station, and could even add a convenience store thereto (assuming that the Planning Board grants the necessary approvals) with only a lot area variance, and the applicant can even reconfigure its pump islands and canopies with variances that are smaller in magnitude than the previously granted variances for this site. Thus, it is the finding of this Board that if the lot area, front yard on Route 94 (canopy), front yard on Route 32 (canopy), and side yard (canopy) variances were granted, the applicant would be able to make a reasonable use of its land and building. The remaining question concerns whether granting the variances for front yard (car wash) and rear yard (car wash), as well as building height (car wash) constitute the "minimum variances" that will allow the applicant the reasonable use of its land or building.

11. It is the finding of this Board, after hearing extensive input from the public as well as the Chairman of the Town of New Windsor Planning Board, that in the light of the proof presented by the applicant, the applicant has in fact shown significant economic injury from the application of the bulk regulations to its land with respect to the variances sought for 1,830 sq. ft., lot area, 36 ft. front yard on Route 94 (canopy), 4 ft. front yard on Route 32 (canopy), and 3 ft. side yard (canopy). It is the finding of this Board that the applicant has sufficiently demonstrated practical difficulty in order to entitle it to be granted the foregoing area variances. It is the further finding of this Board that the applicant has not presented sufficient evidence to show significant economic injury from the application of the bulk regulations to the variances sought for the car wash, to wit, 21 ft. front yard (car wash), 13 ft. rear yard (car wash) and 6.5 ft. building height (car wash). The applicant has not alleged, nor have they offered any proof that the site, without the car wash, is uneconomic. The car wash apparently would only increase the applicant's return. Further, it appears that the applicant could still locate the car wash on this site either without any variances or with smaller variances than have been requested on this application. Thus, the applicant is not denied a reasonable use of its land or building by the denial of the variances for the car wash which are sought herein. This Board finds it significant that the site plan referred to the Zoning Board of Appeals by the Planning Board was chosen solely on the basis of the internal traffic circulation. Since the Planning Board had not conducted a public hearing on this application, it did not have the benefit of the objections raised by members of the public at the public hearing conducted by the Zoning Board of Appeals. Thus, although other plans might not call for the optimum in internal traffic circulation, they might provide for development of this site which is more in keeping with the bulk regulations of the Town of New Windsor. It is the finding of this Board, that after granting the variances with regard to lot area and the yard variances pertaining to the canopy, the applicant is able to make a reasonable use of its land and



...ing. The mere fact that the applicant could make additional profit and that the internal traffic flow might be optimized by locating the car wash in the proposed location, is not sufficient to warrant the variances requested concerning the car wash. Considering all of the input with regard to the car wash location, it is the finding of this Board that the applicant, if it chooses, can redesign its car wash location, to locate the same either without requiring variances or with variances of a smaller magnitude than is the subject of this application.

12. Consequently, this Board does not find that the applicant has demonstrated practical difficulty sufficient to warrant the granting of the 21 ft. front yard (car wash), 13 ft. rear yard (car wash) and 6.5 ft. building height (car wash) variances since alternative designs could eliminate or reduce the need for such variances as well as reducing the impact of such construction upon the public and the neighboring properties. It is the finding of this Board that the proposed car wash construction must be reviewed in the light of the bulk regulations and the health, safety and welfare of the public, and the impact of the proposal on the neighbors, not merely in the light of the optimal internal traffic circulation on the site.

13. This Board's decision should not be read as one which would deny all front yard, rear yard and building height variances on the applicant's land for construction of a car wash facility. Given a new application, which possibly could include requests for variances of a smaller magnitude, based upon a different design and/or layout that did not have such impact upon the bulk regulations in the neighborhood, and given appropriate to the health, safety and welfare issues arising therefrom, it is possible that this Board could act favorably upon such variance request if the applicant was able to demonstrate the requisite practical difficulty.

14. The requested variances for 1,830 sq. ft. lot area, 36 ft. front yard on Route 94 (canopy), 4 ft. front yard on Route 32 (canopy) and 3 ft. side yard (canopy), are not substantial in relation to the required bulk regulations since the property area remains unchanged but the computation of lot area has been changed only by an amendment to the local law regarding deduction of sewer easement area and the above front yard and side yard variances are smaller in magnitude than those which presently exist for the canopies now at the site. However, as to the requested variances for 21 ft. front yard (car wash), 13 ft. rear yard (car wash), and 6.5 ft. building height (car wash), this Board finds that they are substantial in relation to the required bulk regulations.

15. The requested variances for 1,830 sq. ft. lot area, 36 ft. front yard on Route 94 (canopy), 4 ft. front yard on Route 32 (canopy) and 3 ft. side yard (canopy), will not result in substantial detriment to adjoining properties nor change the character of the neighborhood. It is the further finding of this Board that the requested variances for 21 ft. front yard (car wash), 13 ft. rear yard (car wash), and 6.5 ft. building height (car wash) would result in substantial detriment to adjoining

16. The requested variances for 1,830 sq. ft. lot area, 36 ft. front yard on Route 94 (canopy), 4 ft. front yard on Route 32 (canopy), and 3 ft. side yard (canopy) will produce no effect on population density or governmental facilities.

17. There is no other feasible method available to applicant which can produce the necessary results as to lot area, front yard on Route 94 (canopy), front yard on Route 32 (canopy) and side yard (canopy) other than the variance procedure.

18. The interest of justice would be served by allowing the granting of the requested variances for lot area, front yard on Route 94 (canopy), front yard on Route 32 (canopy), and side yard (canopy), and by denying the requested variances for front yard (car wash), rear yard (car wash) and building height (car wash).

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of the Town of New Windsor GRANT, as originally numbered, (1) 1,830 sq. ft. lot area, (3) 36 ft. front yard on Route 94 (canopy), (4) 4 ft. front yard on Route 32 (canopy), and (5) 3 ft. side yard (canopy) variances for the proposed rebuilding of applicant's service station in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Zoning Board of the Town of New Windsor DENIES, as originally numbered, (2) 21 ft. front yard (car wash), (3) 13 ft. rear yard (car wash), and (7) 6.5 building height (car wash) variances, for the proposed rebuilding of applicant's service station in accordance with plans filed with the Building Inspector and presented at the public hearing.

AND, BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

  
Chairman

Dated: September 23, 1991.

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NJ BAR

FRANK FERRARO  
NJ, NY BARS

JENNIFER KNARICH  
NJ BAR

February 1, 2005

Via FedEx

Ms. Myra Mason  
Secretary, Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553-6196

**Re: Exxon Mobil Corporation  
1001 Route 94  
New Windsor, NY  
PA2004-0467**

Dear Ms. Mason:


As you know from our prior correspondence and appearances, this office represents Exxon Mobil Corporation in connection with the proposed redevelopment of the Mobil service station located at the above-referenced address.

I am enclosing eight sets of revised plans which reflect changes to the plans from when the Board and Mr. Edsall reviewed them last fall. As you will note, the plans contain two sets of revision dates. The first set of revisions involved the relocation of the telephone and air vacuum unit away from the intersection, the revision to the trash enclosure construction detail to indicate masonry construction with an exterior to match the convenience store building, and a modification to the canopy lights to propose recessed fixtures.

The second set of revisions, dated December 27, 2004, included the elimination of two pump islands and the reduction in the size of the canopy by 32 feet. The underground storage tanks were also relocated from a location in front of the car wash on the south side of the canopy to the north side of the canopy near the intersection.

Please inform me when these plans can be scheduled for review by the Planning Board. Thank you for your courtesies.

Very truly yours,

  
Gregory D. Meese  
gdm/encl.

cc: Mr. Mark J. Edsall, P.E., P.P.  
Mr. Michael Bianco  
Brian Shortino, P.E.

ZBA REFERRALS:

EXXON MOBILE SITE PLAN AMENDMENT (04-33)

MR. EDSALL: Mr. Chairman, I received a letter yesterday from the applicant indicating that they have identified some additional improvements or modifications they want to look into on the site plan so they have withdrawn for tonight and will be back to us as soon as they resolve that issue.



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

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WRITER'S E-MAIL ADDRESS:

NJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** EXXON MOBIL SITE PLAN AMENDMENT  
(PROPOSED "ON THE RUN" RETAIL & NEW CAR WASH)  
**PROJECT LOCATION:** VAILS GATE (5-CORNERS)  
SECTION 69 – BLOCK 4 – LOT 26.2  
**PROJECT NUMBER:** 04-22  
**DATE:** 8 SEPTEMBER 2004  
**DESCRIPTION:** THE APPLICATION PROPOSES THE RECONSTRUCTION OF THE  
FACILITY, WITH NEW GAS PUMPS, RETAIL BUILDING & CAR  
WASH. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.  
(REFERRAL TO ZBA IS REQUIRED).

1. The application proposes a continuation of all the uses on the site (i.e. retail, fuel sales and a car wash). All three uses will be subject to a new layout, new buildings and other associated improvements on the site.

The property is located in the C zoning district of the Town. All three uses are permitted in the zone, with the gasoline station and car wash uses being Special Permit uses.

2. The cover sheet includes bulk tables and data. Comments regarding zoning compliance are as follows:
  - The "required" development coverage is 0.85 maximum (not N/A as indicated). The table should include calculated "provided" values.
  - The "FAR" value for the site should be a total for the overall site.
  - Canopy setback from Rt. 94 and side yard canopy values must be verified on the as built (title) survey (sheet SV-1).
  - The code no longer has a Section 48. Please verify current requirements per new code section 300 (zoning). Revise data on cover sheet as necessary.

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

- Parking calculation requires further discussion. Total “required” value of 26 spaces appears correct. It is unclear if spaces at pumps are counted as parking spaces. Comparative deficiency evaluation should be performed, and possibility of variance considered.
- Several variances are required. Prior to referral to ZBA, all bulk data should be corrected to insure that applicant obtains all necessary variances.

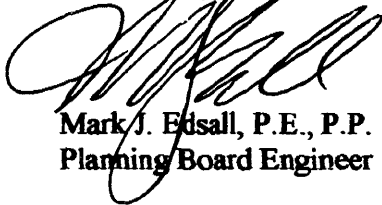
3. I have reviewed the site plan and layout in general, and have the following comments:

- The site plan should have a complete bulk table, in conformance with the requirements of the C zone. Required, existing and proposed values should all be indicated.
- The plan does not include a parking calculation. It would appear that the site is substantially deficient. If there is an existing non-conformity, it should be noted in the calculation.
- Notwithstanding the fact that all three curb cuts to the State Highway are indicted as “to remain” with no changes, I recommend this application be forwarded to the NYSDOT for comment.
- Subject to further review, I recommend that the canopy lighting be recessed, rather than below canopy surface as indicated.
- Are building mounted lights proposed for the “On the Run” building?
- The materials of the trash enclosure should be further discussed. Historically, the board prefers masonry enclosures (minimum 3 sides) with finish to match adjoining building finish. Interior should be concrete slab, as well as a front concrete apron.
- Signage is limited per Town Code. Full review of signage including canopies will be necessary. If variances were previously granted, comparative review will be necessary.
- Per new code requirements, a sign is required in front of the cross-hatched access lane of the handicapped parking space. The sign must read “No Parking – Any Time”.
- The Board should discuss the location of the “Customer Vacuum/Air/Water” and Telephone units near the Rt. 94/Rt. 32 corner.

4. The Planning Board may wish to make notification of their intent to assume the position of Lead Agency under the SEQRA review process. To my knowledge, the only other involved agency is the ZBA.

5. Effective September 1, 2004, the Orange County Planning Department resumed review of all projects and actions that meet the requirements of New York State General Municipal Law (GML 239). Effectively, all projects within 500-foot distance requirements of the State statute (to municipal boundaries; county or state park; county or state highway; county drainage channel or right-of-way; county or state property with a building; or farm operation in an agricultural district) must again be referred to the OCPD for review.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Mark J. Edsall', is written over the typed name and title.

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW04-22-08Sept04.doc

EXXON-MOBIL SITE PLAN & SPECIAL PERMIT (04-22)

Gregory Meese, Esq. and Mr. Brian Shortino appeared before the board for this proposal.

MR. PETRO: Proposed renovation of the existing service station. Where is this? This application proposes construction of the facility with new gas pumps, retail building and car wash plan. You already have a car wash in the back, a small one. This plan is reviewed on a concept basis only. I think they get tired of the gas station every couple years, just like to build a new one. How many times have we done this? A few times?

MR. EDSALL: I think this is the third time I've seen it.

MR. MEESE: A complete demo rebuild. We moved everything, the entire site.

MR. PETRO: You guys in the gasoline business must make some money, unbelievable. Okay, why don't you start out with a presentation?

MR. MEESE: Just to review briefly, I'm the attorney for the project and Brian Shortino is the project engineer. Basically, we have there today seven fuel dispensers, a car wash, that's a rollover type one car car wash and a convenient store of 1,200 square feet, it's kind of a bad configuration. We're going look to being modernize the site, take the dispensers from 7 to 8, the car wash will remain basically the same size and type one car rollover type car wash.

MR. PETRO: Where, I don't see it on the plan.

MR. MEESE: The new plan here is colored in, car wash will be on the side and the convenient store would be one of the more modern user friendly type of convenient



store, 3,274 square feet.

MR. PETRO: Going to change the curb cuts or remaining?

MR. MEESE: Same curb cuts.

MR. PETRO: Not getting anything from the state as far as permit of any kind, you're not going to the state?

MR. MEESE: I'm not sure that we have to based upon the plan, curb cuts are remaining the same.

MR. PETRO: Well, you wouldn't have to if you don't go across the state line, so you're saying you're not going to change, the curb cuts are remaining, you're not touching anything?

MR. MEESE: Yes.

MR. PETRO: Big front one is remaining the same configuration, there's a real big one up front in the property, see all the curbing out in front, that's correct, down in that area, move a little bit further to the north.

MR. SHORTINO: There's two driveways along Route 32.

MR. PETRO: Right down on the corner of the building see all that curbing out front right in here, yes, all that's remaining as it is, in other words, not touching anything out there, basically just taking the buildings down and rebuilding what you're showing us there? Nothing to do with the site itself as far as along the property lines?

MR. BABCOCK: There's some vacuums being put out there.

MR. EDSALL: Right, right out in the curb line along the apex of the intersection.

MR. PETRO: I see three vacuum installations and it's right on the curbing.

MR. EDSALL: Two and a foam unit.

MR. PETRO: But it's still well within their property.

MR. EDSALL: Within their property.

MR. PETRO: You seem to have a concern because it's in the flow of traffic.

MR. EDSALL: It's very close to the intersection and also is, depending on how they park would obstruct access to the pumps. So I'm just bringing to your attention. I don't know if there's a better spot.

MR. PETRO: We'll have to look at it but I can tell you that the vacuums are for, the people who use those like to be seen by other people. You know what I'm trying to say? That's where they want to be. They don't want to be in the back of the property, they're just doing it so people see them when they ride by. They're not even vacuuming.

MR. ARGENIO: Do you have proof of this?

MR. PETRO: I'm not going any further but I know what I'm talking about, I think. Back to the site plan. Maybe.

MR. MEESE: Maybe Brian if you can review the site plan and the circulation and the flow of traffic.

MR. SHORTINO: Actually three driveways on the site, there's two on Route 32, one closest to the intersection is the one way in, that's going to remain the same orientation, the one further away from the intersection of Route 32 is two way and that will remain the same orientation and traffic flow of the

other driveway on Route 94 again two-way driveway existing to remain, no change to that. Complete rebuild to the site, all the features on the site are being demolished. We're going to try and save whatever landscaping currently exists on site, whatever can be saved is going to be attempted to be saved. With respect to the layout of the site, the canopy is more or less staying in the same location but it's being moved a little closer to Route 32 and what that does is at the present time there's an existing convenient store below the canopy, small, approximately 1,200 square feet. The larger convenient store is being pushed back into the site in the westerly direction, it will sit where the existing car wash is now. We'll have some parking in front of that convenient store and the idea is that people can, there's different ways of using the convenient store, as your car's being fueled, you can run in and get whatever items you need and come back to your car or you can do your transaction at the pumps and pull up in front of the store and go inside the convenient store, if you need other convenience items and then the car wash is oriented in a counterclockwise orientation, the driveway or the entrance would be on the left side of the building, they're going counterclockwise direction, enter the car wash from the rear and you'll exit facing Route 32 and then you can exit either onto Route 32 or travel within the state and then on through Route 94. So we expect the traffic patterns and orientation along the curb lines there are no real changes, it's just a modernization and upgrade of the gas station with the same features that we presently have from more or less the convenient store. Since the Exxon-Mobil merger, this is the type of convenient store most of the facilities are going to which is a larger type store that's the trend in the motor vehicle service station, motor fuel industry with the large stores, it's what the public is looking for and we're just trying to cater to the customer demand.

MR. PETRO: What's the side yard on the car wash?

MR. SHORTINO: Twelve feet.

MR. PETRO: Mark?

MR. EDSALL: They'd need some variances.

MR. PETRO: Just going over the sheets I think what we're going to do if the board agrees with me conceptually we're going to look at the plan as we're doing right now. You're not from this area, you're not a hundred percent familiar with our town laws, it's obvious because you're missing a lot of bulk information and if you were here seven times in the last two months, you'd know it and have it correct. It's not a big deal but you have to get together with Mark and go over that, also has a second page with a lot of comments and I'm not going to go over every one of them, get together with the engineer, go to a workshop and straighten them out. Don't have to sit here and overdesign the project concept you have. Do you have any problem with the way this layout is? Do you feel that this, there's anything that you want to look at and discuss?

MR. SCHLESINGER: The storage tanks, you get the trucks filling up those tanks you're blocking your way of exit onto Route 32, I mean--

MR. LANDER: Or even the car wash.

MR. SCHLESINGER: Car wash and the people getting gas.

MR. SHORTINO: Well, that could be an issue and depending on when the trucks come during the hours of the day there's also ways of addressing that, there's instances where you can put in remote fills, where you can have the truck in a different location and I know that's not within, so that's, I'm not disagreeing with

you.

MR. EDSALL: Does this function in the same manner as the other one where you have to go inside to buy the car wash ticket?

MR. MEESE: I think there's three ways to do it, you can go inside, get the ticket or you can get the ticket at the pump or they can get a code at the pump and punch in a code.

MR. LANDER: Where is the dumpster enclosure on this plan?

MR. SHORTINO: We have a dumpster enclosure located on the left side of the building, on the right side of the car wash actually a crosshatched area which can double as a loading area.

MR. LANDER: Now what's that going to be made out of? Should I say what's the building going to be made out of?

MR. SHORTINO: I don't know if it's specified on the plans, I'll have to look real quick. Actually, I don't.

MR. LANDER: You want the dumpster enclosure to match whatever the station's made out of.

MR. SHORTINO: That's no problem.

MR. PETRO: Is there a big flag on this property out in front?

MR. SHORTINO: I'm not sure.

MR. MEESE: I don't think so.

MR. PETRO: I thought there was a large flag.

MR. LANDER: Says new single pole.

MR. PETRO: I don't see it on the plan, if there is one, put it on the plan, I think there's a large flag there.

MR. SHORTINO: You want a flag pole?

MR. PETRO: There's quite a few there, we used to require them all the time and we used to ask, not require, we used to ask that you put one but there's quite a few in there and sometimes it's worse than having none if they're all tangled up there.

MR. MASON: There's one there, a big one.

MR. PETRO: Just put it on the plan.

MR. MEESE: Unmanned car wash.

MR. SCHLESINGER: You can get a car wash if you get a free car wash certain amount of gas or whatever or you can just go get a car wash?

MR. MEESE: Yes, you can go in get a car wash or you can get a car, you can work the car wash through a token or punch in a key pad with a code.

MR. SCHLESINGER: If I just wanted to get a car wash, do I have to park my car, see somebody or can I pay for it at the entrance?

MR. MEESE: You can pay for it at the car wash through a credit card or get a code from the attendant at the pump or inside the store.

MR. PETRO: All right.

MR. KRIEGER: With the flag pole, you want to specify

that the flag pole have the national flag.

MR. PETRO: Before you're done, do you have anything you want to discuss? I don't want to go any further. Conceptually, we don't have a problem with it, get together with the engineer and the next time you come you'll have three pages of comments. I'm aware of no further concerns and we can move along.

MR. MEESE: There's several variances that we're going to need, can we go ahead with the zoning board the same time or want us to come back to the planning board?

MR. PETRO: We can do that, Mark, what do you think?

MR. EDSALL: I would like to doublecheck some numbers with them but we'll do the referral once we're sure the bulk table is complete, so authorize the referral at this point.

MR. PETRO: Okay, motion for final approval.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning board grant final approval to the Exxon-Mobil site plan amendment. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	NO
MR. SCHLESINGER	NO
MR. KARNAVEZOS	NO
MR. ARGENIO	NO
MR. PETRO	NO

MR. PETRO: At this time, you ever been referred to the

September 8, 2004

49

New Windsor Zoning Board for your necessary variances. If you are successful in receiving those variances and apply them on the plan, you can then again appear before this board. Good luck.

MR. MEESE: We'll work with your engineer and work out these comments.

MR. PETRO: Seems like you have a little work to do there but what we did is save you another trip back. No sense coming back and doing what you just did four weeks from now. The plan looks great, just got to, you know, fix the numbers up and get it going. Thank you.



**FIRE INSPECTOR'S  
INTER-OFFICE CORRESPONDENCE**

**TO:** James Petro, Planning Board Chairman

**FROM:** John McDonald, Fire Inspector

**SUBJECT:** PB-04-22  
Exxon-Mobil



**DATE:** September 8, 2004

**Fire Prevention Reference Number: FPS-04-039**

**The above referenced Site Plan and Special Permit plans have been reviewed and found to be acceptable.**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

**TO: FIRE INSPECTOR**

**P.B. FILE #04-21      DATE RECEIVED: 08-31-04**

**PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 09-06-04 TO BE ON AGENDA FOR THE 09-08-04 PLANNING BOARD  
MEETING.**

**THE MAPS AND/OR PLANS FOR:**

#### AMOIA REALTY

Applicant or Project Name

**SITE PLAN \_\_\_\_\_, SUBDIVISION \_\_\_\_\_, LOT LINE CHANGE XXX,  
SPECIAL PERMIT \_\_\_\_\_**

**HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:**

☒ **APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Reviewed by

9/8/04  
date



RESULTS OF P.B. MEETING OF:

September 8, 2004

PROJECT:

Exxon - Vails Gate

P.B. #

04-22

**LEAD AGENCY:**

**NEGATIVE DEC:**

AUTHORIZE COORD. LETTER: Y      N     

M)      S)      VOTE: A      N     

TAKE LEAD AGENCY: Y      N     

CARRIED: Y      N     

M)      S)      VOTE: A      N     

CARRIED: Y      N     

**PUBLIC HEARING:**

WAIVED:     

CLOSED:     

M)      S)      VOTE: A      N     

SCHEDULE P.H.: Y      N     

SEND TO O.C. PLANNING: Y ✓

SEND TO DEPT. OF TRANSPORTATION: Y     

REFER TO Z.B.A.: M)      S)      VOTE: A 0 N 5

RETURN TO WORK SHOP: Y      N     

**APPROVAL:**

M)      S)      VOTE: A      N     

APPROVED:     

NEED NEW PLANS: Y      N     

**CONDITIONS - NOTES:**

Will be 8 pumps  
Single bay car wash  
Need ZBA Referral  
Need Work Shop



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

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**Writer's E-mail Address:**  
mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

100-3

**TOWN/VILLAGE OF:** New Windsor **P/B APP. NO.:** \_\_\_\_\_

**WORK SESSION DATE:** 3 Nov 04 **PROJECT:** NEW ☒ OLD \_\_\_\_\_

**REAPPEARANCE AT W/S REQUESTED:** \_\_\_\_\_ **RESUB. REQ'D:** \_\_\_\_\_

**PROJECT NAME:** Prob. 1/C-xx on

**REPRESENTATIVES PRESENT:** Brian Shurtz / Greg McCreery

**MUNICIPAL REPS PRESENT:**

BLDG INSP.	_____	FIRE INSP.	_____
ENGINEER	<input checked="" type="checkbox"/>	PLANNER	_____
P/B CHMN	_____	OTHER	_____

**ITEMS DISCUSSED:** \_\_\_\_\_

- Send to DOT -

ck w/ MM re YA

ck w/ MM re DC DP  
referral

8 copies

**STND CHECKLIST:** **PROJECT TYPE**

DRAINAGE	_____	SITE PLAN
DUMPSTER	_____	SPEC PERMIT
SCREENING	_____	L L CHG.
LIGHTING	_____	SUBDIVISION
(Streetlights)	_____	OTHER
LANDSCAPING	_____	
BLACKTOP	_____	
ROADWAYS	_____	
APPROVAL BOX	_____	

**PROJECT STATUS:**  
ZBA Referral: ☒ Y ☐ N

Ready For Meeting ☒ Y ☐ N

Recommended Mtg Date 11/10

**OFFICE OF THE PLANNING BOARD  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY**

**NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION**

PLANNING BOARD FILE NUMBER: 04-22

DATE: 15 Mar 2005

APPLICANT:

**Exxon Mobil Corp., c/o Gregory D. Meese, Esq.**  
**50 Tice Boulevard, Woodcliff Lake, N.J. 07677**

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 24 August 2004

FOR: SITE PLAN

LOCATED AT: Vails Gate, NYS Routes 94 & 32

ZONE: C

DESCRIPTION OF EXISTING SITE: SEC: 69 BLOCK: 4 LOT: 26.2

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

**Variances Required for:**

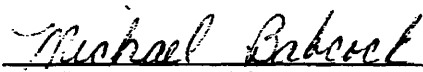

**Front Yard (canopy & building)**

**Side Yard (car wash)**

**Height (car wash)**

**SIGN VARIANCES AS DEPICTED/NOTED ON PLANS**

TOWN OF NEW WINDSOR CODE: \_\_\_\_\_

  
\_\_\_\_\_  
MICHAEL BABCOCK,   
BUILDING INSPECTOR

**NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued**

**REQUIREMENTS**

P.B. # **04-22**

ZONE: **C**

USE: **A-1 (retail) & B-4 (gasoline station)**

	REQUIRED	PROPOSED	VARIANCE REQUESTED
MIN. LOT AREA	40,000 sf	42,607	-
MIN. LOT WIDTH	200 ft	200 (Rt 94)	-
REQUIRED FRONT YARD	60 ft	31.81(canopy- Rt32) 29.96 Bldg - Rt.94	29 ft. (canopy- Rt.32) 31 ft (Bldg - Rt.94)
REQUIRED SIDE YARD	30 ft	12 ft (car wash)	18 ft
REQUIRED TOTAL SIDE YARD	70 ft	N/A	N/A
REQUIRED REAR YARD	30 ft	30 (Bldg)	-
REQUIRED FRONTAGE	N/A	N/A	N/A
MAX. BLDG. HT.	12"/ft NLL = Bldg = 29.96 Canopy=31.81 Car Wash=12	Bldg=22 Canopy=18.5 CarWash=18	Bldg - Canopy - Car Wash - 6 ft
FLOOR AREA RATIO	0.5	0.1	-
MIN. LIVABLE AREA	N/A	N/A	N/A
DEVELOPMENTAL COVERAGE	85%	75%	-
O/S PARKING SPACES	26	26	-

**PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.**

**CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: HIGHWAY DEPARTMENT

P.B. FILE #04-22

DATE RECEIVED: 08-31-04

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 09-06-04 TO BE ON AGENDA FOR THE 09-08-04 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

EXXON-MOBIL

Applicant or Project Name

SITE PLAN XXX, SUBDIVISION \_\_\_\_\_, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT XXX

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Planning J. Karp 7/28/04  
Reviewed by date

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 08/31/2004

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-22

NAME: EXXON MOBIL - ON THE RUN CARWASH & CANOPY  
APPLICANT: EXXON MOBIL CORPORATION C/O GREG MEESE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/31/2004	REC. CK. #2674	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

*Fuller*  
*9/1/07*



**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#895-2004**

08/31/2004

Trammell Crow Services, Inc. *P.B. # 04-22 Special Permit*

Received \$ 250.00 for Planning Board Fees, on 08/31/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#894-2004**

08/31/2004

Trammell Crow Services, Inc. *P.B. # 04-22*

Received \$ 150.00 for Planning Board Fees, on 08/31/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

# PLANNING BOARD APPLICATION SUBMITTAL CHECKLIST

The following items are to be returned to the Planning Board Secretary, complete as a package, to make application to appear before the Planning Board:

## CHECK OFF (ONE ORIGINAL COPY OF ALL EXCEPT PLANS)

1. Completed Page 1 and 2 of Application form. (Original Copy) X
2. Agricultural Data Statement (If you answer yes to #9 on application) N/A
3. Applicant/Owner Proxy Statement (Original) (MUST HAVE IF APPLICABLE) X
4. a. Applicable completed Check List for subdivision/L.L. Chg. or Site Plan X  
 b. **Approval box on all sheets of plan as described in #4 of Subdivision Check List and #2 of Site Plan Check List.** X
5. Short Form EAF (Unless instructed to prepare long form). (Original) X
6. Flood Hazard Area Development Application. N/A
7. EIGHT Sets of plans – folded to fit in legal size file folder with name block showing. X
8. **SEPARATE CHECKS AS FOLLOWS:** (Choose appropriate category for your project)

### SITE PLANS:

Two Separate Checks: (One check for application fee and separate check for escrow amount)

Special Permit Application and Review Fee.....	\$250.00		<u>X</u>
Application fee.....	\$125.00		<u>X</u>
Escrow (Unless other amount specified at workshop)	\$750.00	\$ _____	<u>X</u>

**(Additional escrow due for multi-family dwellings)**

### SUBDIVISIONS:

Two Separate Checks: (One check for application fee and separate check for escrow amount)

Application Fee...(minor subdivision only).....	\$ 75.00		<u>N/A</u>
Application Fee...(major subdivision only).....	\$150.00		<u>N/A</u>

### ESCROW:

**Residential:** \$200.00 each - for each of first 4 lots  
 \$100.00 for each additional lot - Total:\$ \_\_\_\_\_ N/A

**Commercial:** \$500.00 each - for each of first 4 lots  
 \$200.00 for each additional lot - Total:\$ \_\_\_\_\_ N/A

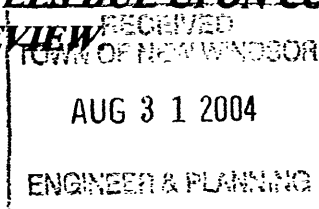
### LOT LINE CHANGE:

Two Separate Checks: (One check for application fee and separate check for escrow amount)

Application fee.....	\$75.00		<u>N/A</u>
Escrow (Unless other amount specified at workshop). ...	\$150.00.....	\$ _____	<u>N/A</u>

**PLEASE NOTE: ADDITIONAL FEES DUE UPON COMPLETION OF PLANNING BOARD REVIEW**

(REVISED 01-01-04)



04-22



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ **Main Office**

33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mhenry@mhepc.com

☐ **Regional Office**

507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@mhepc.com

**Writer's E-mail Address:**  
mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

**TOWN / VILLAGE OF:**

NEW Windsor

**P/B APP. NO.:**

100-3  
04-22

**WORK SESSION DATE:**

5 MAY 2004

**PROJECT:** NEW ☒ OLD ☐

**REAPPEARANCE AT W/S REQUESTED:**

Yes later after ZOA

**RESUB. REQ'D:**

Full App

**PROJECT NAME:**

Exxon/Mobil Station

**REPRESENTATIVES PRESENT:**

Brown / Gey

**MUNICIPAL REPS PRESENT:**

BLDG INSP.  
ENGINEER ☒  
P/B CHMN

FIRE INSP. \_\_\_\_\_  
PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

**ITEMS DISCUSSED:**

- Need side + 3x Front Yd  
variances req'd.

- 5/14 Variancees.

- next avail agenda for  
review and referral  
to ZOA

**STND CHECKLIST:**

DRAINAGE \_\_\_\_\_

DUMPSTER \_\_\_\_\_

SCREENING \_\_\_\_\_

LIGHTING \_\_\_\_\_

(Streetlights)

LANDSCAPING \_\_\_\_\_

BLACKTOP \_\_\_\_\_

ROADWAYS \_\_\_\_\_

APPROVAL BOX \_\_\_\_\_

**PROJECT TYPE**

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

**PROJECT STATUS:**

ZBA Referral: ☒

Ready For Meeting ☒

Recommended Mtg Date 5/14

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change \_\_\_\_\_ Site Plan ☒ Special Permit ☒

Tax Map Designation: Sec. \_\_\_\_\_ Block 4 Lot 26/2

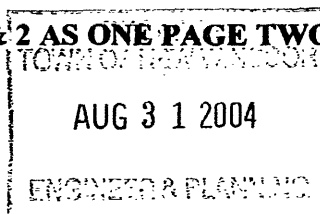
**BUILDING DEPARTMENT PERMIT NUMBER** PA 2004 - 0467

1. Name of Project Exxon Mobil - On The Run, Car Wash & Canopy
2. Owner of Record Exxon Mobil Corporation Phone 201-391-3737  
c/o Gregory D. Meese, Esq., Price, Meese, Shulman & D'Arminio, P.C.  
Address: 50 Tice Boulevard, Woodcliff Lake, NJ 07677  
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant Same Phone \_\_\_\_\_  
Address: \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan Calisto J. Bertin, P.E. Phone 201-670-6688  
Bertin Engineering Associates  
Address: 66 Glenn Avenue, Glen Rock, NJ 07452  
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney Gregory D. Meese, Esq. Phone 201-391-3737  
Price, Meese, Shulman & D'Arminio, P.C.  
Address 50 Tice Boulevard, Woodcliff Lake, NJ 07677  
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:  

<u>Gregory D. Meese, Esq.</u>	<u>201-391-3737</u>	<u>201-391-9360</u>
(Name)	(Phone)	(fax)
7. Project Location: On the South side of Route 94  
(Direction) (Street)
8. Project Data: Acreage 42,608 SF Zone C School Dist. \_\_\_\_\_

PAGE 1 OF 2

( PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)



04-22

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes ☐ No ☒

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.) Service station with 3,274 SF convenience mart, car wash and 8 fuel dispensers beneath canopy.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes ☐ no ☒

12. Has a Special Permit previously been granted for this property? yes ☐ no ☒

**IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.**

STATE OF NEW JERSEY)

SS.:

COUNTY OF BERGEN ( )

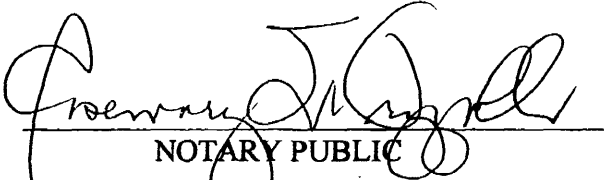
THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

24<sup>th</sup> DAY OF August 2014

  
(OWNER'S SIGNATURE)

\_\_\_\_\_  
(AGENT'S SIGNATURE)

  
NOTARY PUBLIC

\*\*\*\*\*  
ROSEMARY WALLING FRAPPOLLI  
Notary Public of New Jersey  
My Commission Expires February 22, 2008  
\*\*\*\*\*

\_\_\_\_\_  
Please Print Agent's Name as Signed

RECEIVED  
TOWN OF HAVERTH  
AUG 31 2004  
DATE APPLICATION RECEIVED  
ENGINEER & PLANNING

04-22

\_\_\_\_\_  
APPLICATION NUMBER

**AGENT/OWNER PROXY STATEMENT**

**(professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

David N. O'Toole, Construction Project \_\_\_\_\_, deposes and says that he resides  
(OWNER) Coordinator, ExxonMobil Oil Corporation

atx maintains an office at 4 Beechtree Street, \_\_\_\_\_ in the County of Middlesex  
(OWNER'S ADDRESS) Killingworth

Exxon Mobil Corporation  
and State of Connecticut \_\_\_\_\_ and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block 4 Lot 26.2 )  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he designates:

(Agent Name & Address)

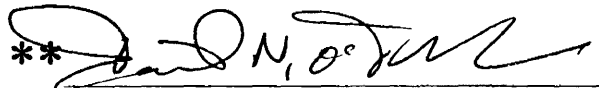
Gregory D. Meese, Esq., Price, Meese, Shulman & D'Arminio, P.C.  
50 Tice Boulevard, Woodcliff Lake, NJ 07677

( Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR  
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

**\*\*** 

Owner's Signature (MUST BE NOTARIZED)


24 DAY OF August 20 04

Agent's Signature (If Applicable)



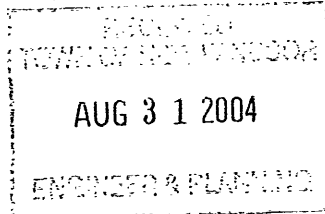
NOTARY PUBLIC  
ROSEMARY WALLING-FRAPPOLI  
Notary Public of New Jersey

**\*\*** My Commission Expires February 22, 2008

  
Professional Representative's Signature

**PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

**THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER**



**04-22**

## TOWN OF NEW WINDSOR PLANNING BOARD

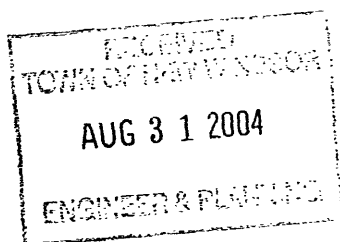
SITE PLAN CHECKLISTITEM

1.     X     Site Plan Title
2.     X     Provide 4" wide X 2" high box **(IN THE LOWEST RIGHT CORNER OF THE PLAN)** for use by Planning Board in affixing Stamp of Approval (ON ALL PAGES OF SITE PLAN).

SAMPLE:



3.     X     Applicant's Name(s)
4.     X     Applicant's Address
5.     X     Site Plan Preparer's Name
6.     X     Site Plan Preparer's Address
7.     X     Drawing Date
8.     X     Revision Dates
9.     X     Area Map Inset and Site Designation
10.     X     Properties within 500' of site
11.     X     Property Owners (Item #10)
12.     X     Plot Plan
13.     X     Scale (1" = 50' or lesser)
14.     X     Metes and Bounds
15.     X     Zoning Designation
16.     X     North Arrow
17.     X     Abutting Property Owners
18.     X     Existing Building Locations
19.     X     Existing Paved Areas
20.     X     Existing Vegetation
21.     X     Existing Access & Egress



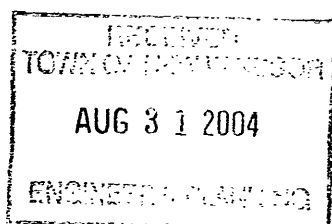
PAGE 1 OF 3

04-22



**PROPOSED IMPROVEMENTS**

- |     |                |                                     |
|-----|----------------|-------------------------------------|
| 22. | <u>  X  </u>   | Landscaping                         |
| 23. | <u>  X  </u>   | Exterior Lighting                   |
| 24. | <u>  X  </u>   | Screening                           |
| 25. | <u>  X  </u>   | Access & Egress                     |
| 26. | <u>  X  </u>   | Parking Areas                       |
| 27. | <u>  X  </u>   | Loading Areas                       |
| 28. | <u>  X  </u>   | Paving Details (Items 25 - 27)      |
| 29. | <u>  X  </u>   | Curbing Locations                   |
| 30. | <u>  X  </u>   | Curbing through section             |
| 31. | <u>  X  </u>   | Catch Basin Locations               |
| 32. | <u>  X  </u>   | Catch Basin Through Section         |
| 33. | <u>  X  </u>   | Storm Drainage                      |
| 34. | <u>  X  </u>   | Refuse Storage                      |
| 35. | <u>  N/A  </u> | Other Outdoor Storage               |
| 36. | <u>  X  </u>   | Water Supply                        |
| 37. | <u>  X  </u>   | Sanitary Disposal System            |
| 38. | <u>  X  </u>   | Fire Hydrants                       |
| 39. | <u>  X  </u>   | Building Locations                  |
| 40. | <u>  X  </u>   | Building Setbacks                   |
| 41. | <u>  X  </u>   | Front Building Elevations           |
| 42. | <u>  X  </u>   | Divisions of Occupancy              |
| 43. | <u>  X  </u>   | Sign Details                        |
| 44. | <u>  X  </u>   | Bulk Table Inset                    |
| 45. | <u>  X  </u>   | Property Area (Nearest 100 sq. ft.) |
| 46. | <u>  X  </u>   | Building Coverage (sq. ft.)         |
| 47. | <u>  X  </u>   | Building Coverage (% of total area) |
| 48. | <u>  X  </u>   | Pavement Coverage (sq. ft.)         |
| 49. | <u>  X  </u>   | Pavement Coverage (% of total area) |
| 50. | <u>  X  </u>   | Open Space (sq. ft.)                |
| 51. | <u>  X  </u>   | Open Space (% of total area)        |
| 52. | <u>  X  </u>   | No. of parking spaces proposed      |
| 53. | <u>  X  </u>   | No. of parking spaces required      |



REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. \_\_\_\_\_ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. \_\_\_\_\_ A disclosure Statement, in the form set below, must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasee shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE

BY: \_\_\_\_\_

Licensed Professional

Date

8-24-04

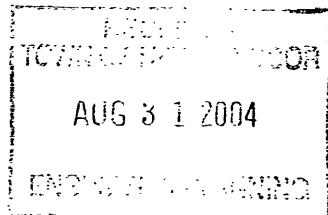


%% %% %% %% %%

**PLEASE NOTE:**

%% %% %% %% %%

**THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.**



PAGE 3 OF 3

04-22

PROJECT I.D. NUMBER

617.21

SEQR

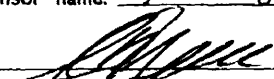
## Appendix C

## State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Exxon Mobil Corporation	2. PROJECT NAME Exxon Mobil On The Run, Car Wash & Canopy
3. PROJECT LOCATION: Municipality New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 1001 N.Y.S. Route 94 and Route 32	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Redevelopment of existing service station, car wash and convenience store with new service station, car wash and convenience store.	
7. AMOUNT OF LAND AFFECTED: Initially 0.98 acres Ultimately 0.98 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly User permitted by Special Permit, some setback and sign variances required.	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Exxon Mobil Corporation Applicant/sponsor name: By: Gregory D. Meese, its Attorney Date: 8/24/04 Signature: 	

TO: If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

AUG 31 2004

ENGINEERING

OVER

1

04-22

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b>	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
<b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b>	
<input type="checkbox"/> Yes	<input type="checkbox"/> No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
Name of Lead Agency	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
DATE 1 2004	Date



**KEY MAP**

SCALE: 1:10,000

Logo

200' RADIUS MAP


SCALE 1" = 200'

69-1-5 Irvin Bergknoff Route 300 Highland Mills, NY 10930	69-1-6 VGR Associates, LLC c/o Irving Bickow, Mgr 400 East 69 <sup>th</sup> Street NY, NY 10021	69-1-7 Konstantinos & Theodore Pangiplotopoulos 65 Eisenhower Drive Middletown, NY 10940
69-1-11 Leon & Jane Tudeou 94 Canterbury Road Fort Montgomery, NY 10928	69-2-8 & 69-2-121 MGB Partnership 321 Green Ridge Street Scranton, PA 18509	69-2-9 Primavera Properties, Inc. P.O. Box 177 Vails Gate, NY 12584
69-2-10 Angelo Rosmarino Enterprises, Inc. P.O. Box 192 Vails Gate, NY 12584	69-2-11 Amerasia Hess Corp. c/o Dean Cole, Mgr - Tax Dept. 1 Hess Plaza Woodbridge, NJ 07095	69-3-2.1 TGS Associates, Inc. 83 Apple Ring Road Red Hook, NY 12571
69-3-4 S & S Properties, Inc. P.O. Box 206 8 Vnuet Drive Highland Mills, NY 10930	69-3-6 DB Companies - DBA- DB Mart Commence Store P.O. Box 9471 Providence, RI 02940	69-4-11 Michael & James Goodman 2384 Birchwood Lake Diagrams Ferry, NY 18337
69-4-12 Wilbur & Mary Brewer P.O. Box 610 Vails Gate, NY 12584	69-4-15 Mary McMillen c/o Russell McMillen P.O. Box 322 Vails Gate, NY 12584	69-4-16 Perth Am. & Russell Brewer, Jr. Box 103 Vails Gate, NY 12584
69-4-17 Hollies, Ida Mae & Michael Brewer P.O. Box 293 Vails Gate, NY 12584	69-4-18 Beatrice Deyo Hannah Marie & Lawrence Arthur Scherf P.O. Box 293 Vails Gate, NY 12584	69-4-19.2 Central Hudson Gas & Electric Corp. 284 South Avenue Poughkeepsie, NY 12602
69-4-25, 69-4-26.13, 69-4-28 Franchise Storey & P-Ed Carden 104 South Central Avenue Valley Stream, NY 11580	69-4-26.11 Franchise Realty International Corp. P.O. Box 779 Croton Falls, NY 10519	69-4-26.12 Fred Plan 3, LLC 104 South Central Avenue - RM 20 Valley Stream, NY 11580
70-1-1.1 & 70-1-1.2 Samuel Leonardo 7 Jaywood Hills Road Newburgh, NY 12550	70-1-2.1 House of Apache Properties, LTD c/o Herbert Storey 104 South Central Avenue Valley Stream, NY 11580	70-1-2.21 & 70-1-16.12 4 Acres, LLC 104 South Central Avenue Valley Stream, NY 11580
70-1-3 Mau Brothers Realty, Inc. P.O. Box 247 Vails Gate, NY 12584	70-1-15.3 Beretta Youngberg Richard D'Alaio 12 Truxs Circle New Windsor, NY 12561	70-1-15.4 Michael & Mary Fernandez 9 Truxs Circle New Windsor, NY 12553

Seal

Stations Number	Description	Date	Initial
7	7 - REVERSE ZONING NOTES 6 & 7, ADD DMC. 11 - 1/29/05	- JLB	
6	6 - ADD APPROVAL COLUMN - 6/29/05	- DI	
5	5 - REVERSE ZONING NOTES 7 & 8 - 4/19/05	- DI	
4	4 - REVERSE ZONING NOTES 6 & 8 - 12/27/04	- DI	
3	3 - REVERSE ZONING NOTES 5-10 - 9/7/04	- DI	

NO NOT SCALE DRAWINGS

9. OFF STREET PARKING (SECTION 300--59 & 60) 		REQUIRED	EXISTING	PROPOSED	VARIANCE REQUIRED	JUNE 27, 2018
MIN. STALL SIZE		9' x 19'	9' x 19'	9' x 19'	NO	N/A
MIN. AISLE WIDTH (FT. FOR 90 DEGREE)		25	>25	>25	NO	N/A
MIN. # OF SPACES						
RETAIL		1 SPACE/150SF FLOOR AREA = 8.16 = 9 SPACES (EXIST.) = 21.83 = 22 SPACES (PROP.)				
GASOLINE SERVICE STATIONS		4 SPACES/BAY + 1 SPACE/300 SF OF FLOOR AREA OUTSIDE OF SERVICE AREAS = 0 SPACES (EXIST. & PROP.)				
CAR WASH		4 SPACES PLUS 7 STACKING SPACES (EXIST. & PROP.)				
TOTAL REQUIRED (EXIST.)	9+0+4 =	13 SPACES PLUS 7 STACKING SPACES	1 HANDICAP + 14 (AT PUMPS) + 7 STACKING SPACES= 22 TOTAL SPACES			
TOTAL REQUIRED (PROP.)	22+0+4 =	26 SPACES PLUS 7 STACKING SPACES		10 (INC. HANDICAP) + 16 (AT PUMPS) + 7 STACKING SPACES= 26 + 7 STACKING SPACES	NO	N/A

△ VARIANCE APPROVED  
BY THE ZONING BOARD  
OF APPEALS ON  
JUNE 27, 2005

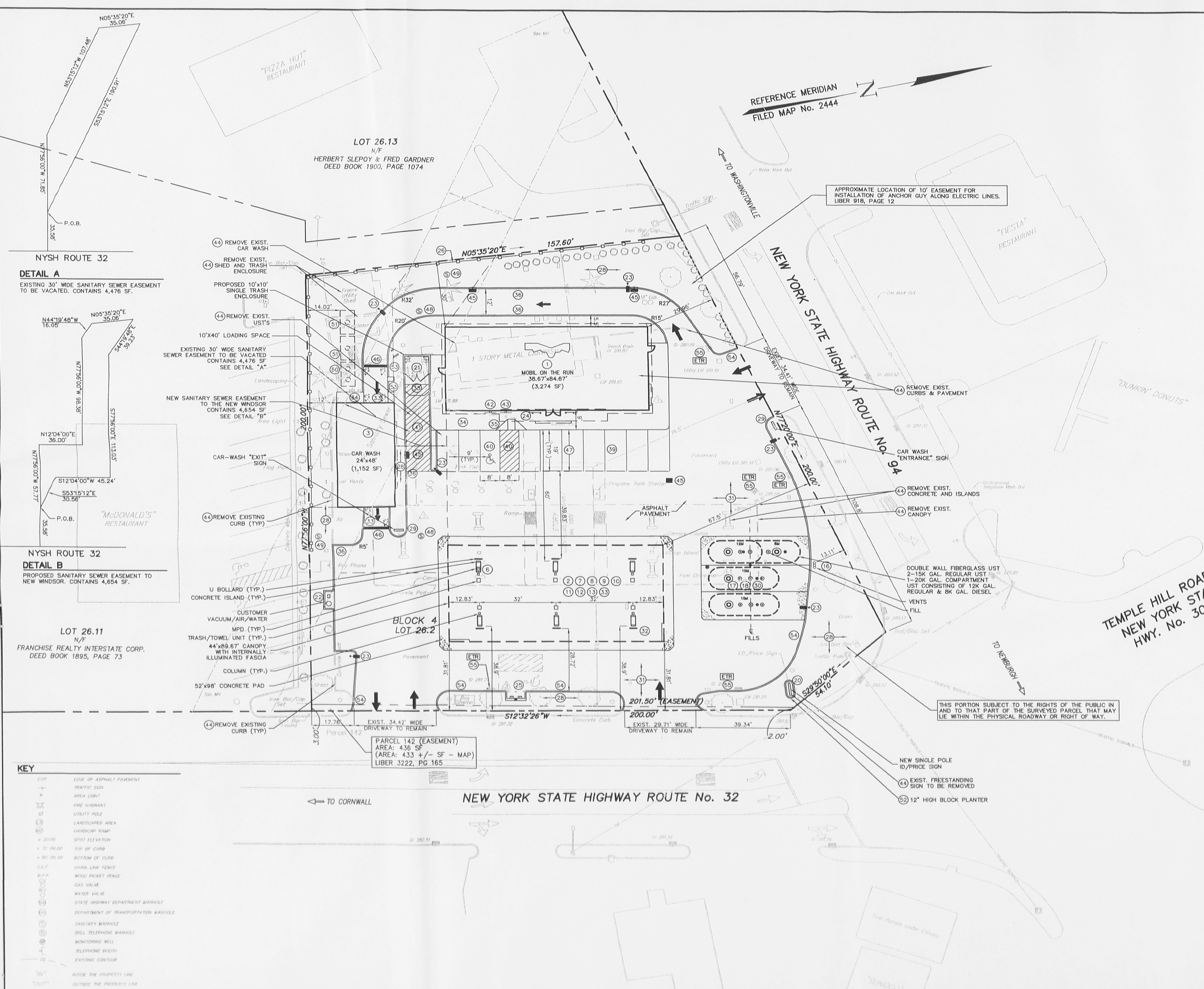
		26 + 7 STACKING SPACES	
10.	BUILDING COVERAGE (SF) (%)	7,107	9,776
		16.7	23.0
	PAVEMENT COVERAGE (SF) (%)		
		25,176	22,036
		59.1	51.7
	TOTAL IMPERVIOUS COVERAGE (SF) (%)	32,283	31,812
		75.8	74.7
	OPEN SPACE (SF) (%)	10,324	10,781
		24.2	25.3
11. BUILDING CHARACTERISTICS			
CONSTRUCTION CLASS - 5B			
USE GROUP - M			
NO. OF STORIES - 1			
STRUCTURE HEIGHT - 21.33 FT			
AREA - 3,274 SF			
<p>* - INDICATES AN EXISTING NON-CONFORMITY</p> <p>** - INDICATES A VARIANCE IS REQUIRED</p> <p>*** - VENT PIPE SETBACK IS A PREEXISTING NONCONFORMING CONDITION. THE SETBACK DISTANCE IS BEING INCREASED AS PART OF THE PROJECT</p>			
△			

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

By: [Signature] Chairman  
By: [Signature] Notar Public, Secretary

BLOCK 4, LOT 26.2 1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32 NEW WINDSOR, ORANGE COUNTY, NEW YORK Project	
<b>EXXON MOBIL CORPORATION</b> <b>ON THE RUN, CAR WASH &amp; CARE</b> <b>COVER SHEET</b>	
Site	
RAS Number	12225
Design Type	
Building Type / Size:	3200 SF
Building Style:	
Bldg. Code:	Scale:
Drawn By	AS SHOWN
File Name:	YA/BUS
Date:	S251A--1
Issued For:	12-8-03
Project No.	S251A
Drawing No.	1





ON THE RUN, CAR WASH & CANOPY

CS

GC

EM

O

= CANOPY SUPPLIER

= GENERAL CONTRACTOR

= EXXON MOBIL

= OTHER

SC

CJ

MEG

BSL

ETR

= SAWCUT

= CONSTRUCTION JOINT

= MEET EXISTING GRADE

= BUILDING SETBACK LINE

= EXIST. TO REMAIN

ITEM DESCRIPTION

STRUCTURES

1

GC

GC

MOBIL ON THE RUN - 3,274 SF

2

CS

CS

CANOPY: (X) NEW 44'x 89.67' CANOPY WITH BLUE INTERIALLY ILLUMINATED FASCIA

3

GC

GC

24'x48' CAR WASH - 1152 SF

4

EM

GC

(2) ISLAND SHELTER (WITH G-CAT)

ISLANDS

70010A

P1-P13

6

EM

GC

(2) NEW ENCORE DISPENSER 3+1 (DIESEL)

7

EM

GC

(6) NEW ENCORE DISPENSER 3+0

8

GC

GC

(8) DISPENSER PANS WITH PROBES

9

GC

GC

CONCRETE ISLAND WITH STAINLESS STEEL FORMS

10

EM

GC

(8) TRASH/TOWEL UNIT

11

EM

GC

(6) EXIST. MPD: ( ) RELOCATED ( ) WAREHOUSE

12

EM

GC

PRODUCT PIPING - FLEX

13

GC

GC

VAPOR PIPING - FIBERGLASS

TANKFIELD

70010A

P1-P13

16

GC

GC

VENTS

17

EM

GC

MOTOR FUEL TANKS: (X)NEW ( ) EXISTING TO REMAIN

18

EM

GC

PUMPS (1) 1-1/2 HP PUMPS (3) 2 HP FIXED SPEED STP'S

YARD/MISCELLANEOUS

10900

C1.0-C3.1

20

EM

GC

NEW SINGLE POLE ID/PRICE/OTR/RETAIL/DIESEL FREESTANDING SIGN

21

GC

GC

SINGLE TRASH ENCLOSURE (EXTERIOR TO MATCH BUILDING)

22

GC

GC

CUSTOMER SERVICE-VACUUM/AIR COMPRESSOR/HOSE BIBB

23

EM

GC

AREA LIGHT - 320W SMH W/16' POLES (6) NEW ( ) RELOCATED

24

GC

GC

PIPE BOLLARD

25

GC

GC

TELEPHONE AREA

26

GC

GC

WOOD FENCE - SOLID 6' (BOARD ON BOARD)

27

GC

GC

WOOD FENCE - OPEN

28

GC

GC

LANDSCAPING

29

EM

GC

CURB WASH SIGNS: (1) ENTRANCE, (1) EXIT

30

GC

GC

CONCRETE PAVEMENT (TANK MAT)

31

GC

GC

ASPHALT PAVEMENT - 4'x4'x2"

32

GC

GC

(8) U-BOLLARD

33

GC

GC

CONCRETE PAVEMENT - 6" THK. W/#3 BARS 18" O.C. EACH WAY ON CHAIRS

34

GC

GC

CONCRETE SIDEWALK - 4" THICK

35

GC

GC

HANDICAP RAMP

36

GC

GC

CONCRETE CURB - INTERIOR

37

GC

GC

CONCRETE CURB - N.Y.S.D.O.T

38

GC

GC

DEPRESSED CURB

39

GC

GC

PAVEMENT STRIPES - 4" WHITE

40

GC

GC

PAVEMENT STRIPES - 4" BLUE

41

GC

GC

PAVEMENT STRIPES - 4" YELLOW

42

GC

GC

TRAFFIC SIGN - HC PARKING

43

GC

GC

TRAFFIC SIGN - NO PARKING - ANY TIME

44

GC

GC

EXISTING TO BE REMOVED

45

GC

GC

STORM INLET

46

GC

GC

TRENCH DRAIN

47

GC

GC

BLACK CONCRETE PAVEMENT-6" THK. W/#3 BARS 18" O.C. EACH WAY ON CHAIRS

48

GC

GC

STANDARD SANITARY MANHOLE

49

GC

GC

DOGHOUSE SANITARY MANHOLE

50

GC

GC

1,500 GAL. MUD/SAND/OIL SEPARATOR

51

GC

GC

1,500 GAL. RECLAIM TANK

52

GC

GC

BLOCK PLANTER

53

EM

GC

COIN BOX, MENU BOARD, LIGHT FOR CAR WASH

54

GC

GC

REMOVE AND REPLACE INTERIOR CURB

55

GC

GC

RESET EXISTING INLET FRAME & GRATE

NOTES:

1) ALL EXIST. UST'S, FUEL OIL TANKS, WASTE OIL TANKS, ETC ARE TO BE REMOVED

2) ALL EXIST. LIGHT POLES & BASES ARE TO BE REMOVED

GENERAL NOTES:

1. SITE PLAN BASED ON: DRAWING ENTITLED "ALTA/ACSM LAND TITLE SURVEY OF 1001 ROUTE 94 SECTION 69, BLOCK 4, LOT 26.2, TOWN OF NEW WINDSOR, COUNTY OF ORANGE, N.Y." PREPARED BY BERTIN ENGINEERING ASSOCIATES, INC., JOSEPH HALLER, NYPLS NO 48336, DATED 1-21-04, DWG NO: SV-1

2. ALL FEATURES ARE EXISTING TO REMAIN UNLESS OTHERWISE NOTED. PROPOSED FEATURES AS SHOWN IN FULL TONE EXISTING FEATURES ARE SHOWN IN HALF TONE EXISTING FEATURES TO BE REMOVED ARE SHOWN AS DASHED, OR ARE NOTED.

3. GENERAL CONTRACTOR TO FURNISH ALL MATERIALS, INCLUDING PAINT, AND EQUIPMENT NOT SUPPLIED BY EXXON.

4. LOCATION OF ALL UNDERGROUND UTILITIES IS APPROXIMATE AND SHOULD BE VERIFIED BEFORE EXCAVATION OR CONSTRUCTION BEGINS. CALL DIG HOTLINE 1-800-272-1000.

5. REMOVE ALL PRODUCTS AND VAPOR PIPING BEING REPLACED. REMOVE UNUSED CONDUITS WHERE ACCESSIBLE.

6. UNLESS OTHERWISE NOTED, MAINTAIN EXISTING YARD GRADES AND SLOPES.

7. ALL EXXON OWNED IMPROVEMENTS WHICH ARE NOT REUSED ON THIS PROJECT ARE TO BE REMOVED BY AND BECOME THE PROPERTY OF THE GENERAL CONTRACTOR EXCEPT AS NOTED.

8. ALL UTILITY CONNECTIONS ARE TO BE IN ACCORDANCE WITH LOCAL CODE.

9. THE SITE PLAN(S) SUPERSEDES ALL STANDARD DRAWINGS.

10. ALL DIMENSIONS AND RADII ARE SHOWN TO THE FRONT FACE OF THE CURB.

GRAPHIC SCALE

0 20 30

SCALE: 1" = 20'

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

MAY - 3 2006

By: [Signature]

By: [Signature]

EXXON MOBIL

Fuels Marketing

A DIVISION OF EXXON MOBIL CORPORATION

U.S. Region

Engineering

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Bertin Engineering Associates, Inc.

Glen Rock, NJ 07452

66 Glen Avenue, Glen Rock, NJ 07452

(201) 270-6688 fax (201) 670-9788

www.bertinengineering.com

LOT 26.2

N/F

HERBERT SLEPOY & FRED GARDNER

DEED BOOK 1900, PAGE 1074

LOT 26.11

N/F

FRANCHISE REALTY INTERSTATE CORP.

DEED BOOK 1895, PAGE 73

KEY

EDGE OF ASPHALT PAVEMENT

TRAFFIC SIGN

AREA LIGHT

FIRE HYDRANT

UTILITY POLE

LANDSCAPED AREA

HANDICAP RAMP

SPOT ELEVATION

TOP OF CURB

BOTTOM OF CURB

CHAIN LINK FENCE

WOOD PICKET FENCE

GAS VALVE

WATER VALVE

STATE HIGHWAY DEPARTMENT MANHOLE

DEPARTMENT OF TRANSPORTATION MANHOLE

SANITARY MANHOLE

BELL TELEPHONE MANHOLE

MONITORING WELL

TELEPHONE BOOTH

EXISTING CONTOUR

INSIDE THE PROPERTY LINE

OUTSIDE THE PROPERTY LINE

NEW YORK STATE HIGHWAY ROUTE No. 32

TEMPLE HILL ROAD

NEW YORK STATE HWY. No. 300

TO WINDSOR

TO NEWBURGH

TO CORNWALL

PARCEL 142 (EASEMENT)

AREA: 436 SF

(AREA: 433 +/- SF - MAP)

LIBER 3222, PG 165

THIS PORTION SUBJECT TO THE RIGHTS OF THE PUBLIC IN AND TO THAT PART OF THE SURVEYED PARCEL THAT MAY LIE WITHIN THE PHYSICAL ROADWAY OR RIGHT OF WAY.

APPROXIMATE LOCATION OF 10' EASEMENT FOR INSTALLATION OF ANCHOR GUY ALONG ELECTRIC LINES.

LIBER 918, PAGE 12

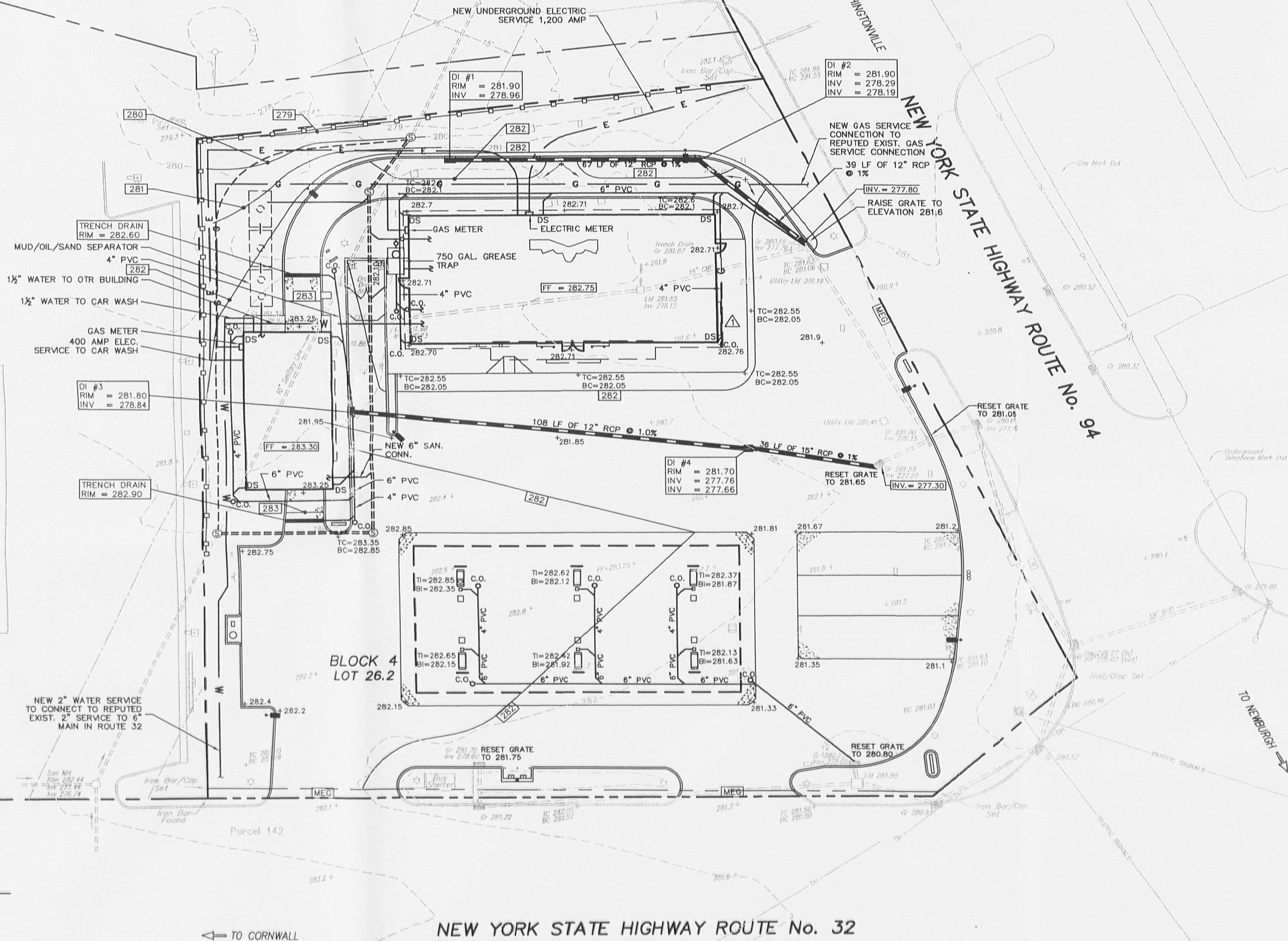
DO NOT SCALE DRAWINGS



KEY	
EDP	EDGE OF ASPHALT PAVEMENT
TS	TRAFFIC SIGN
AL	AREA LIGHT
PH	PIPE HYDRANT
UR	UTILITY POLE
LA	LANDSCAPED AREA
HR	HANDICAP RAMP
SE	SPOT ELEVATION
TC	TOP OF CURB
BC	BOTTOM OF CURB
CLF	CHAIN LINK FENCE
WPF	WOOD PICKET FENCE
GV	GAS VALVE
WV	WATER VALVE
SHD	STATE HIGHWAY DEPARTMENT MANHOLE
DTM	DEPARTMENT OF TRANSPORTATION MANHOLE
SM	SANITARY MANHOLE
BTM	BELL TELEPHONE MANHOLE
MR	MONITORING WELL
TEB	TELEPHONE BOOTH
EC	EXISTING CONTOUR
IP	INSIDE THE PROPERTY LINE
OP	OUTSIDE THE PROPERTY LINE

LOT 26.11  
N/F  
FRANCHISE REALTY INTERSTATE CORP.  
DEED BOOK 1895, PAGE 73

LOT 26.13  
N/F  
HERBERT SLEPOY & FRED GARDNER  
DEED BOOK 1900, PAGE 1074

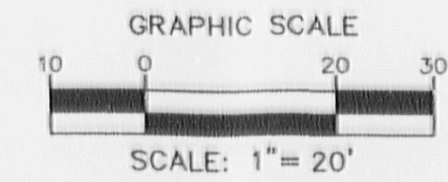


NEW YORK STATE HIGHWAY ROUTE No. 32

REFERENCE MERIDIAN  
FILED MAP No. 2444

NEW YORK STATE HIGHWAY ROUTE No. 94

TEMPLE HILL ROAD  
NEW YORK STATE  
Hwy. No. 300



- PRE CONSTRUCTION NOTES:**
1. UTILITY LOCATIONS SHOWN ON PLANS ARE FOR REFERENCE ONLY AND MUST BE VERIFIED IN FIELD PRIOR TO CONSTRUCTION. ON SITE UTILITIES AND MOTOR FUEL PIPING LOCATIONS ARE BASED ON FIELD OBSERVATION AND RECORD DRAWINGS. ACTUAL CONDITIONS MAY VARY.
  2. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL:
    - A) THOROUGHLY FAMILIARIZE HIMSELF WITH THE SITE CONDITIONS;
    - B) REVIEW THE SURVEY & SITE PLANS FOR INCONSISTENCIES WITH ACTUAL CONDITIONS;
    - C) VERIFY FINISHED FLOOR ELEVATIONS OF EXIST. STRUCTURES TO REMAIN WITH RESPECT TO STREET ELEVATIONS SHOWN;
    - D) VERIFY LOCATION, DEPTH & ELEVATION OF UTILITY CONNECTIONS.
  3. STAKE OUT NEW BUILDINGS & VERIFY THEIR LOCATION TO PROPERTY LINES WITH RESPECT TO DIMENSIONS SHOWN ON PLANS.
  4. MARK LIMIT OF SOIL DISTURBANCE & TAG ALL TREES TO BE REMOVED
  5. REVIEW ALL LOCAL, COUNTY & STATE PERMIT REQUIREMENTS FOR THE PROJECT

LEGEND:	
---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	EXISTING SPOT ELEVATION
---	PROPOSED SPOT ELEVATION
TI	TOP OF ISLAND
BI	BOTTOM OF ISLAND
TC	TOP OF CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
MEG	MEET EXISTING GRADE
SAN	SANITARY SEWER LINE
W	WATER LINE
E	ELECTRIC LINE
G	GAS LINE
CO	DRAINAGE LINE
DS	CLEAN OUT
HP	DOWNSPOUT
DI	DI (DRAINAGE INLET)
MANHOLE	MANHOLE
HIGH POINT	HIGH POINT

APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
MAR - 2 2006  
By: [Signature] Chairman  
By: [Signature] Secretary

**ExxonMobil**  
Fuels Marketing  
A DIVISION OF EXXON MOBIL CORPORATION

**U.S. Region Engineering**  
CORPORATE EXXON MOBIL ENGINEERING

**Bertin Engineering Associates, Inc.**  
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www.bertineng.com

**CALISTO BERTIN, P.E.**  
PROFESSIONAL ENGINEER  
L.C. NO. 12953  
M.A. NO. 12953  
N.Y. L.C. NO. 6894  
N.Y. L.C. NO. 6894

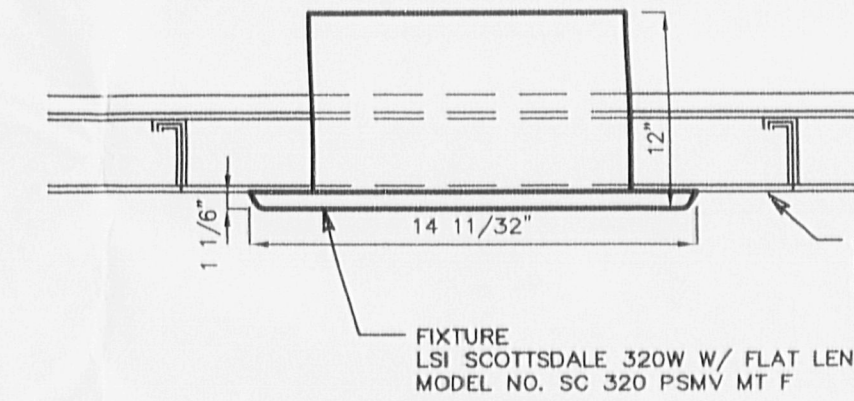
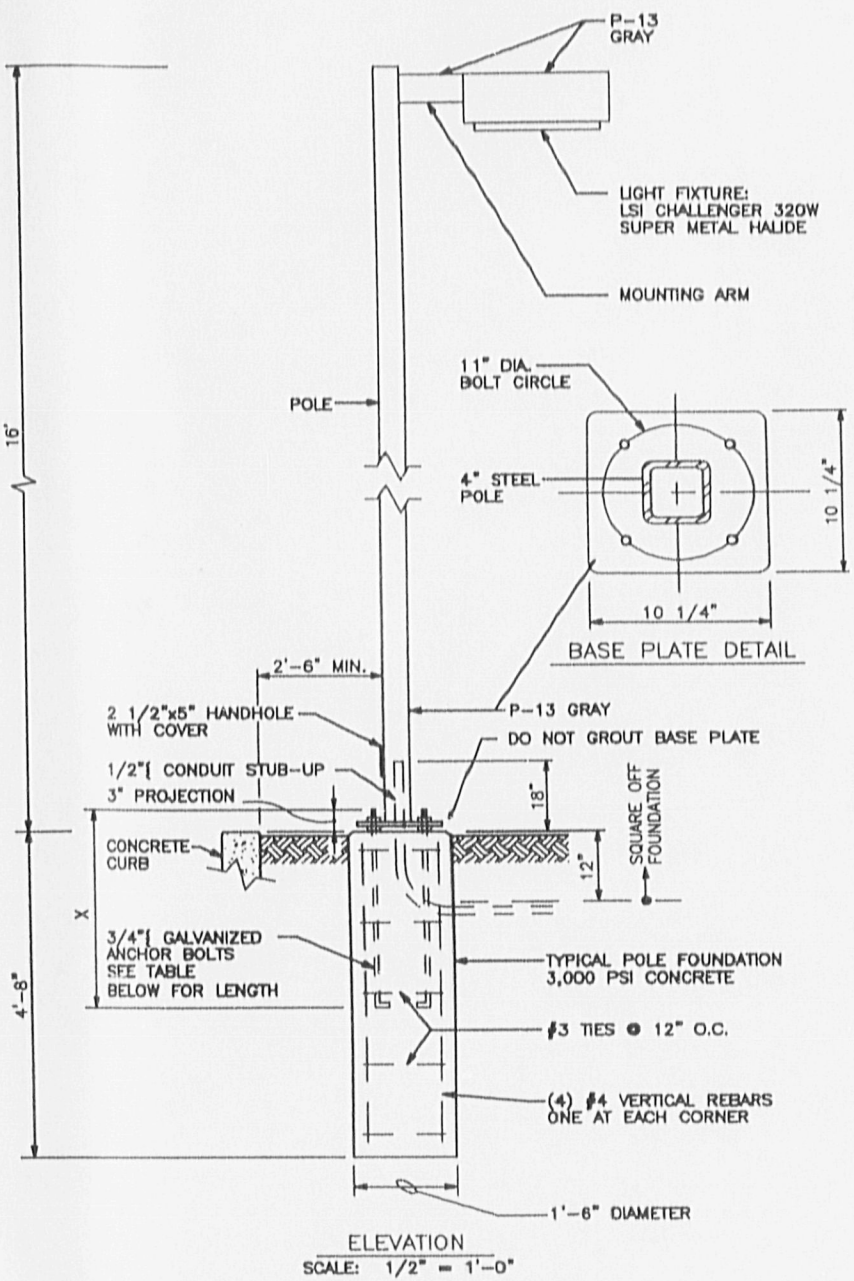
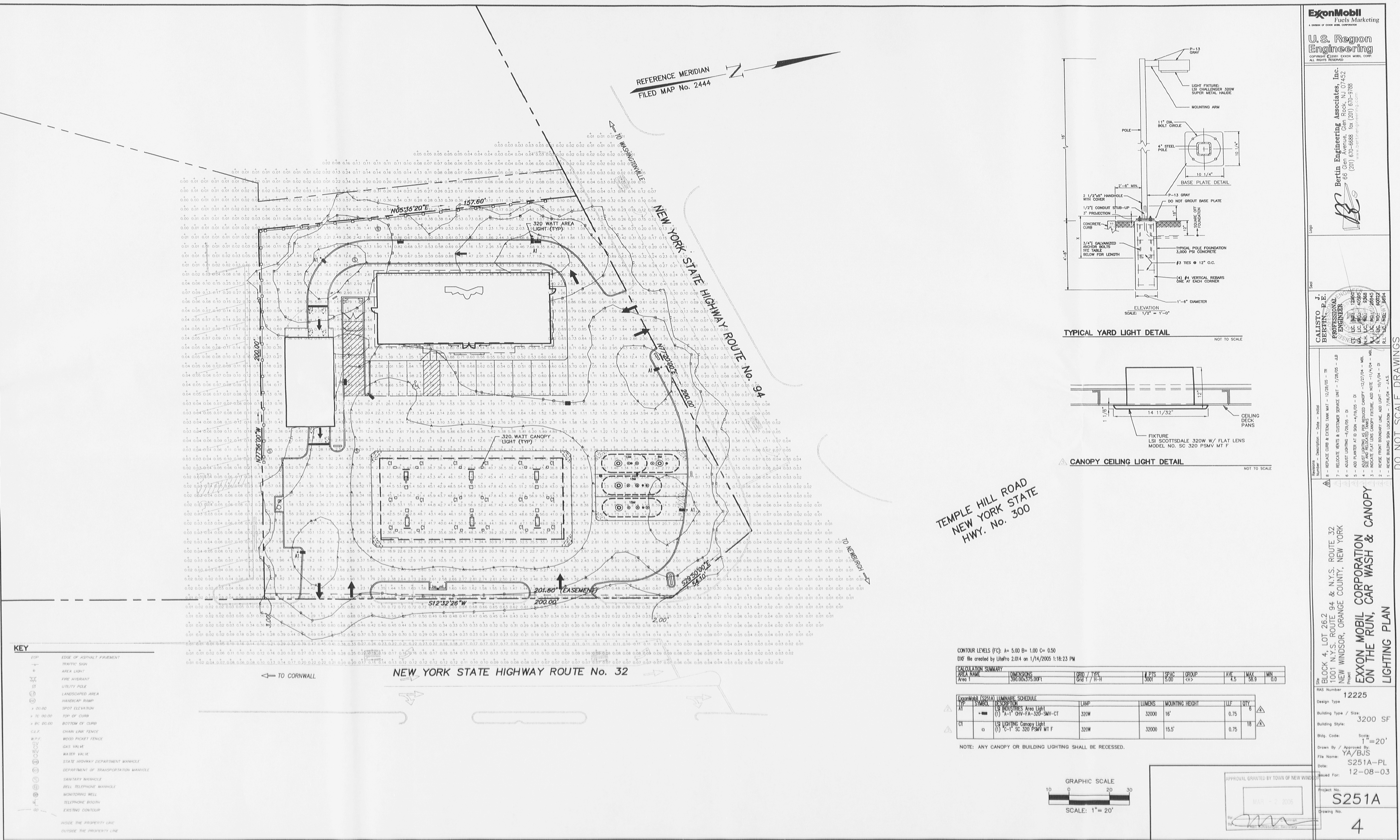
Block 4, Lot 26.2  
1001 N.Y.S. ROUTE 94 & N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK

**EXXON MOBIL CORPORATION**  
**ON THE RUN, CAR WASH & CANOPY**  
**GRADING & UTILITY PLAN**

Project No. 12225  
Design Type: 3200 SF  
Building Style: 3200 SF  
Bldg. Code: Scale: 1"=20'  
Drawn By / Approved By: YA/BJS  
File Name: S251A-PL  
Date: 12-08-03  
Project No. S251A  
Drawing No. 3

DO NOT SCALE DRAWINGS

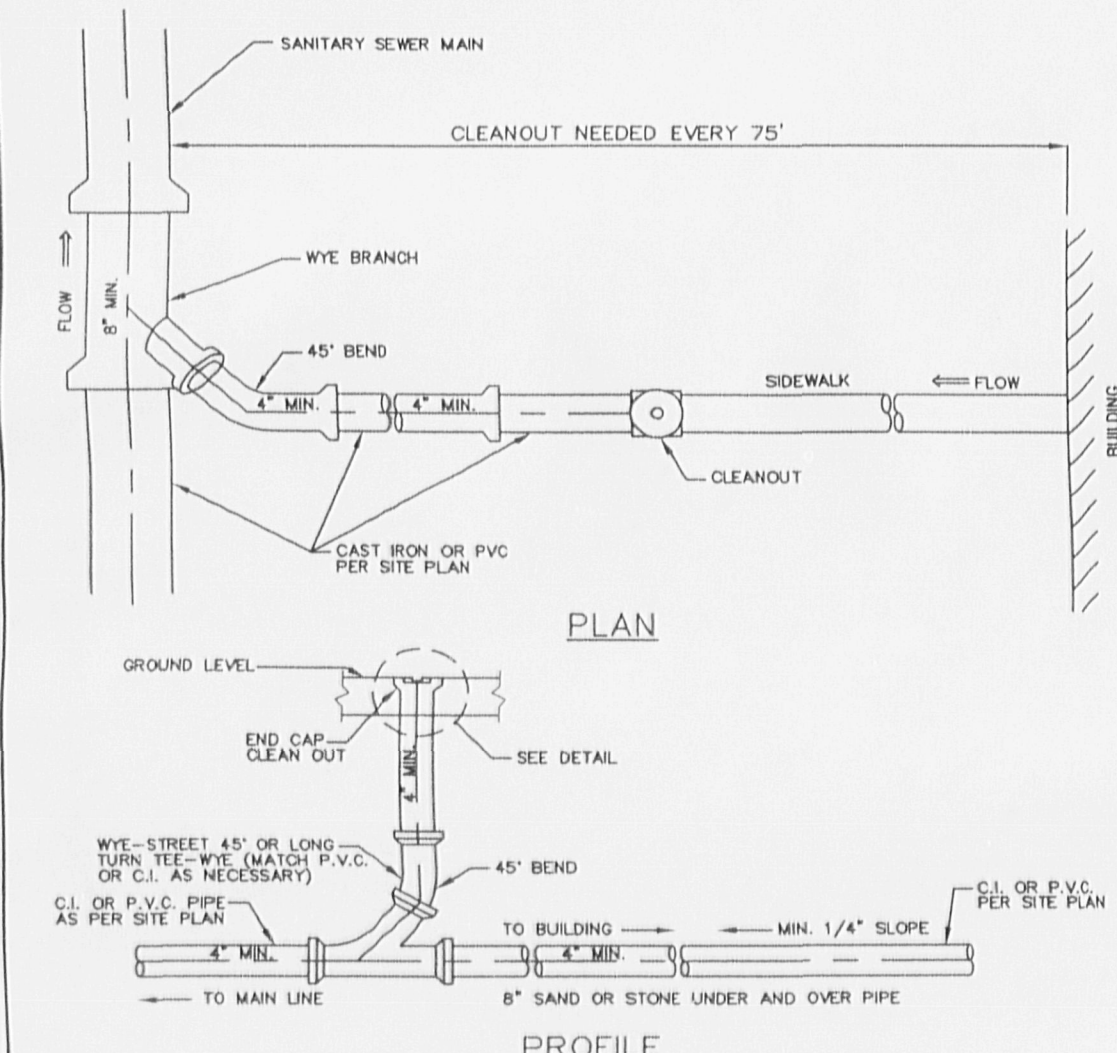
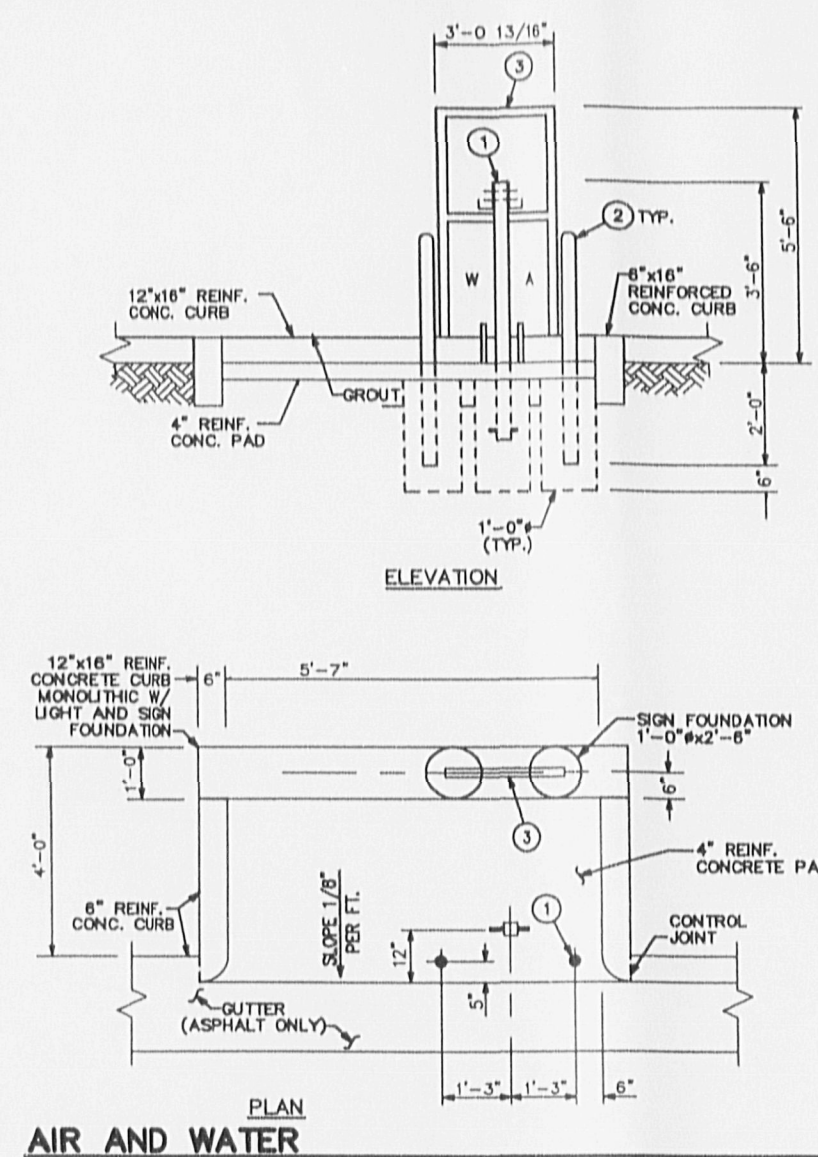
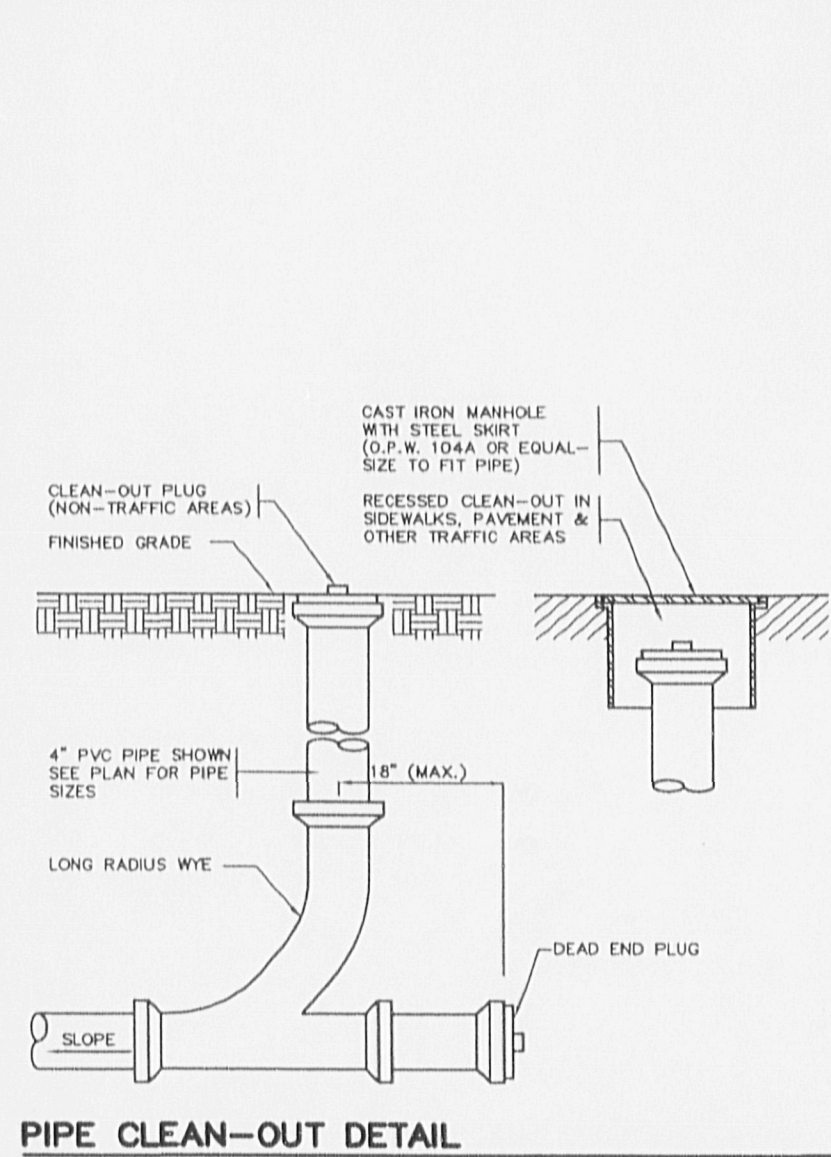




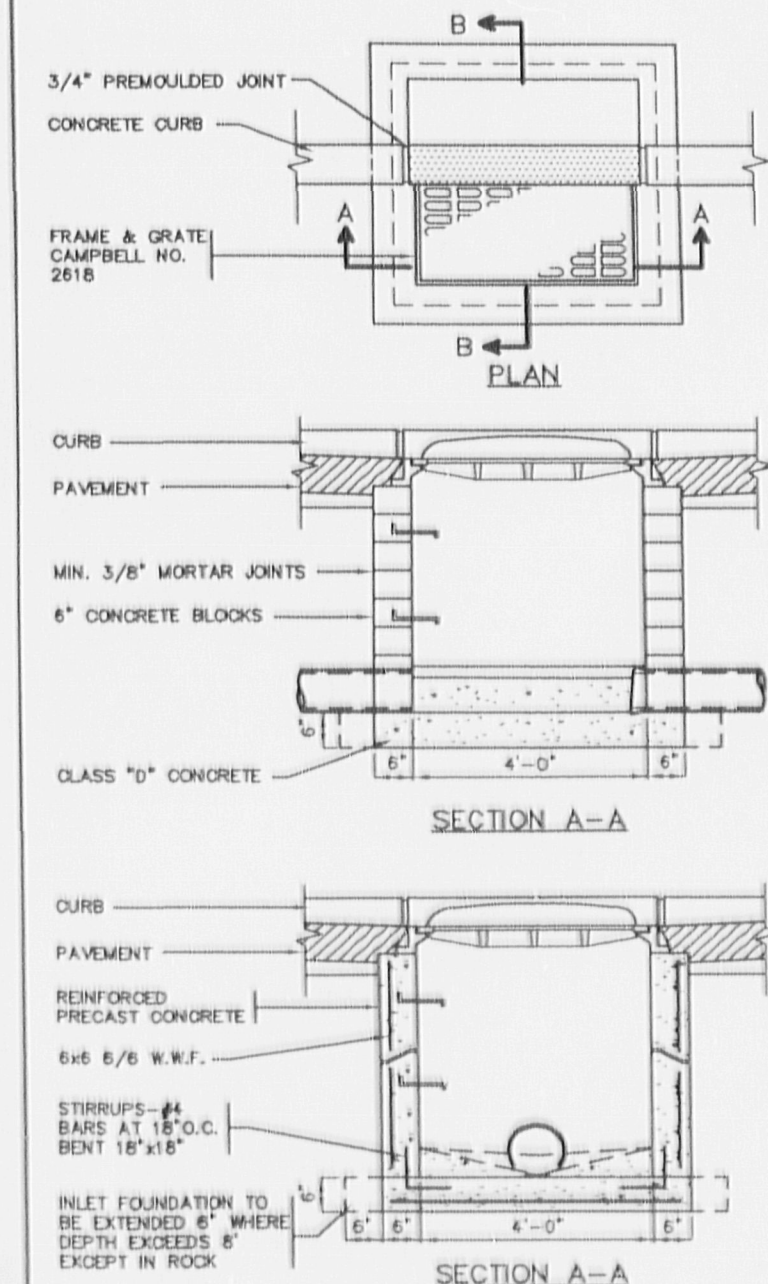




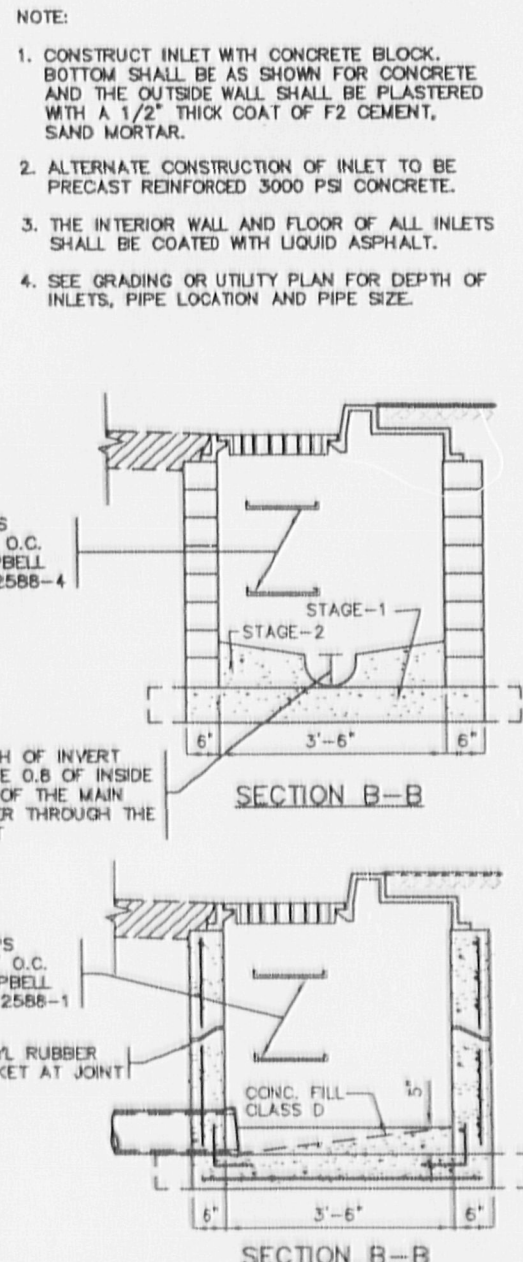




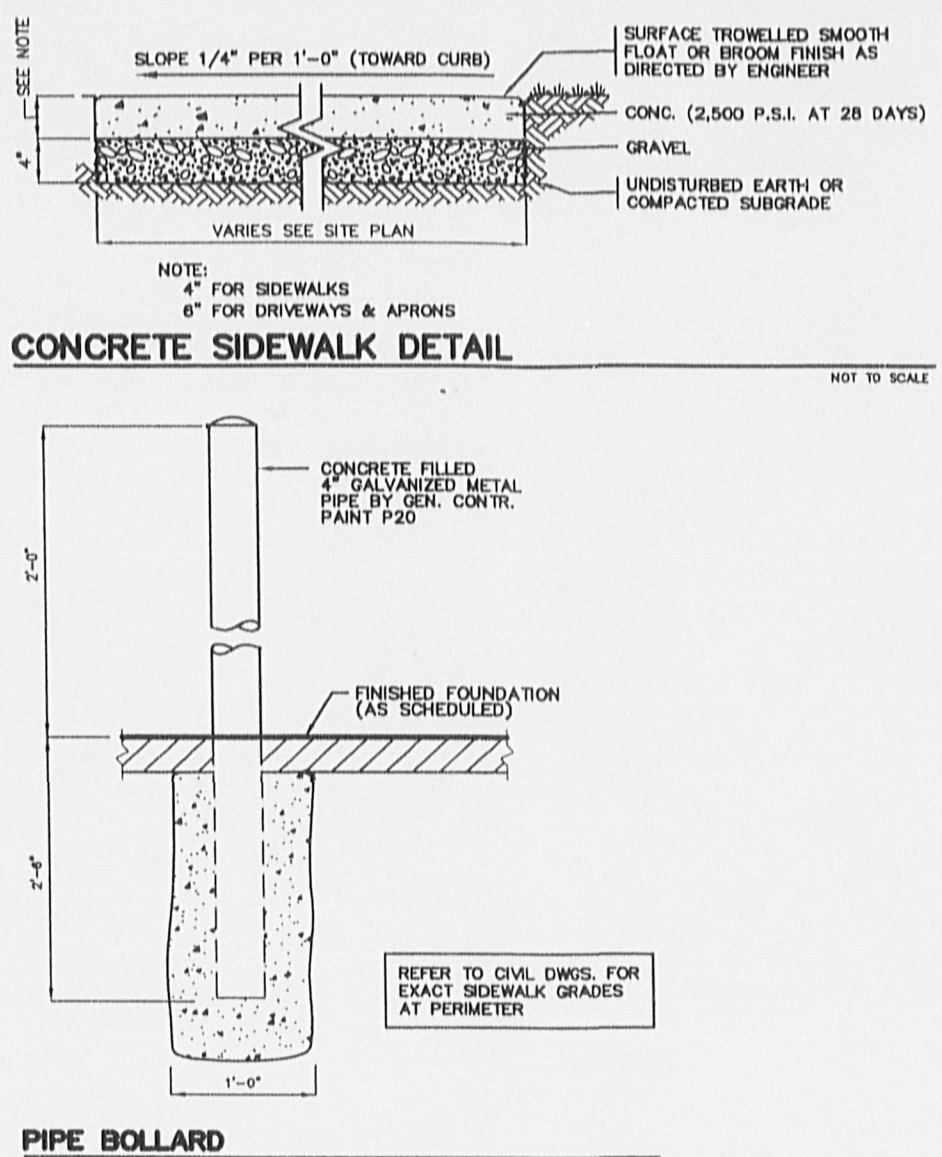
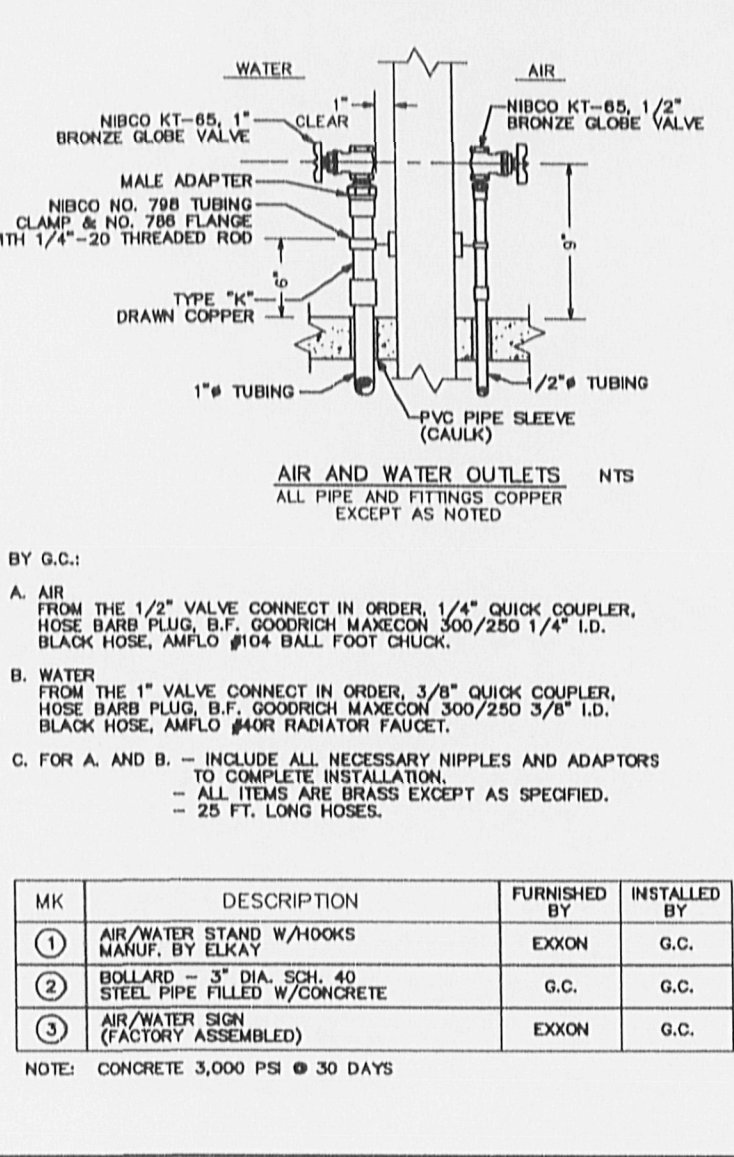
**BUILDING SEWER CONNECTION AND CLEANOUT DETAIL**



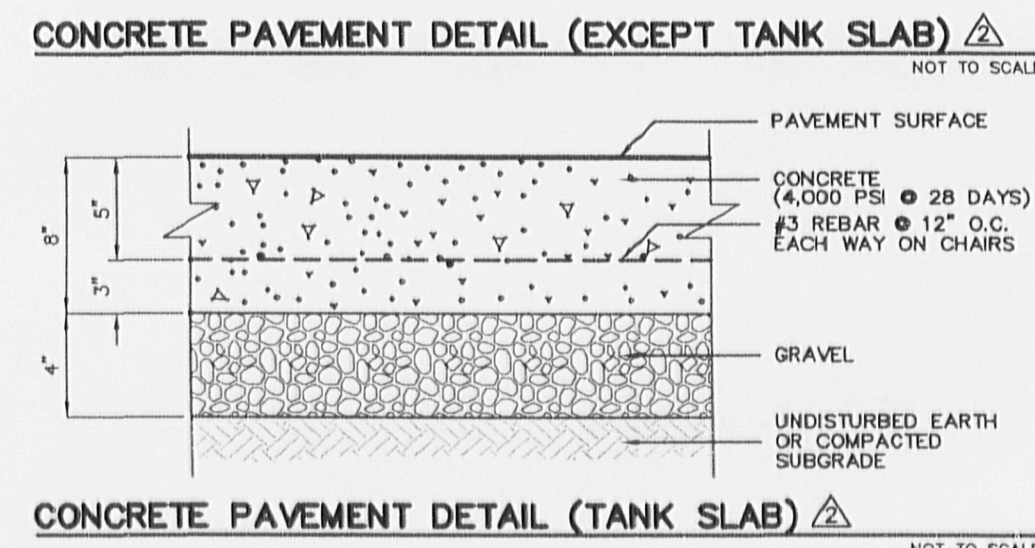
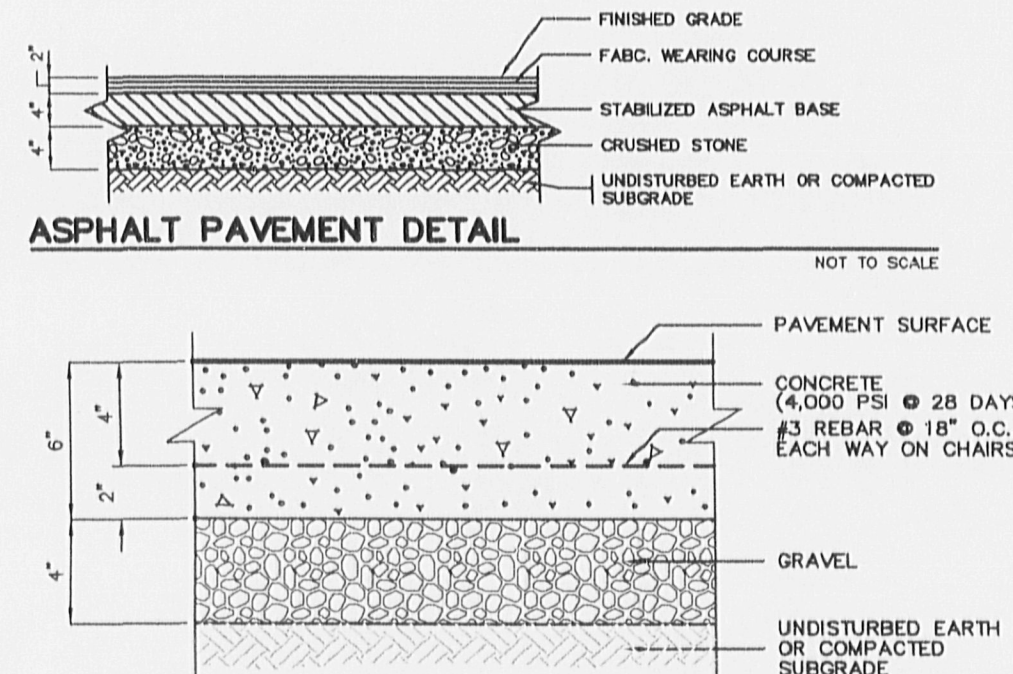
**CURB INLET (bicycle safe)**



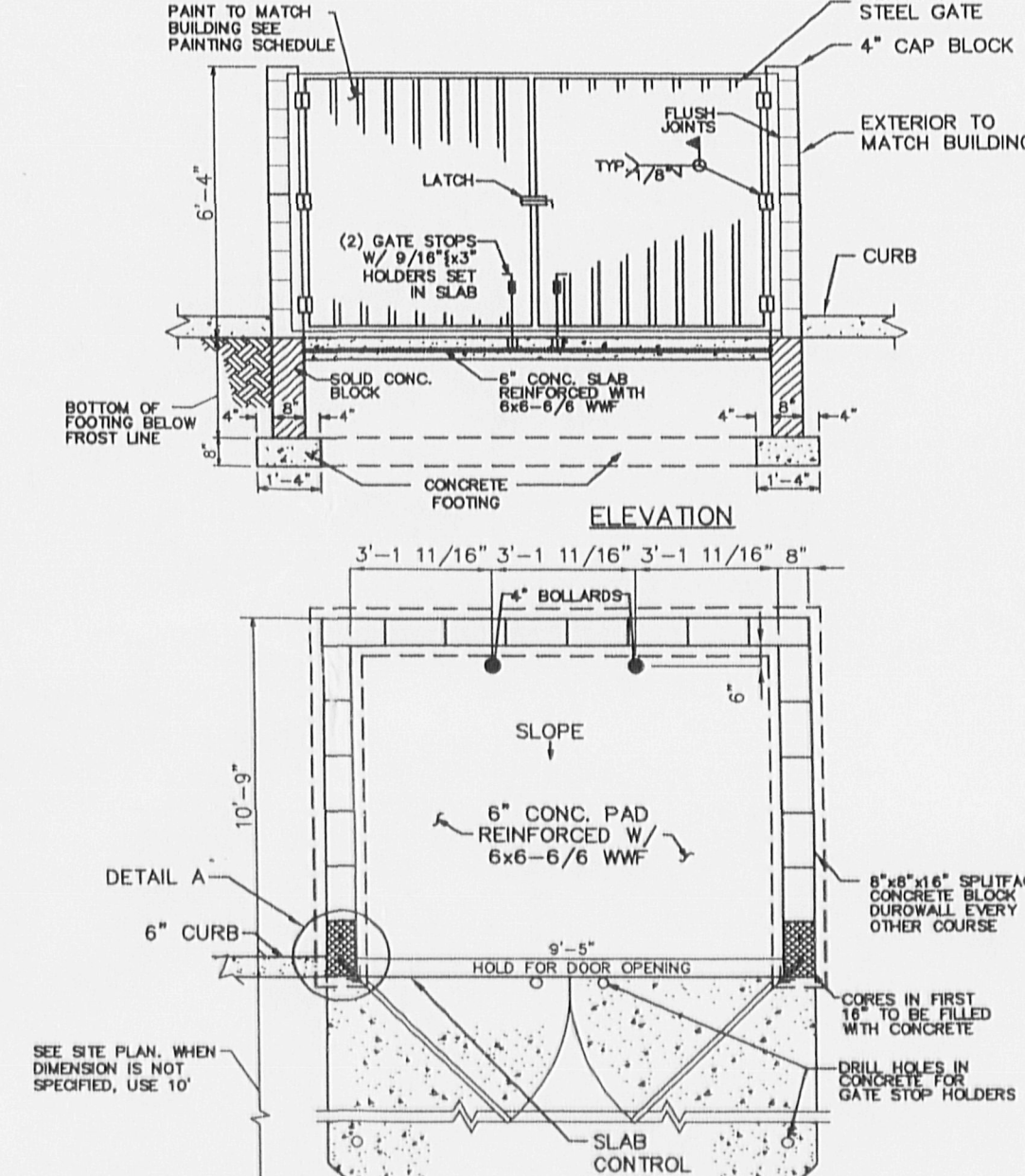
**STANDARD SANITARY MANHOLE**



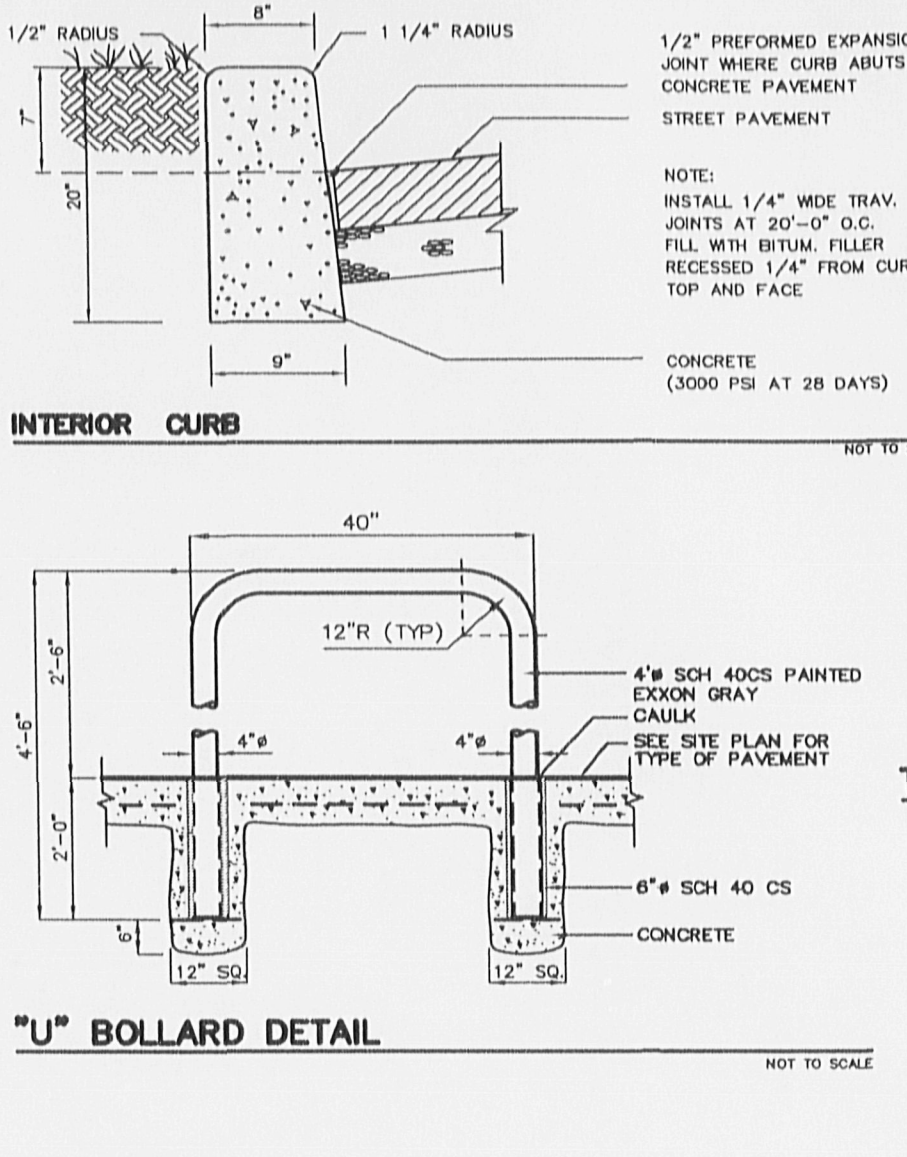
**PIPE BOLLARD**



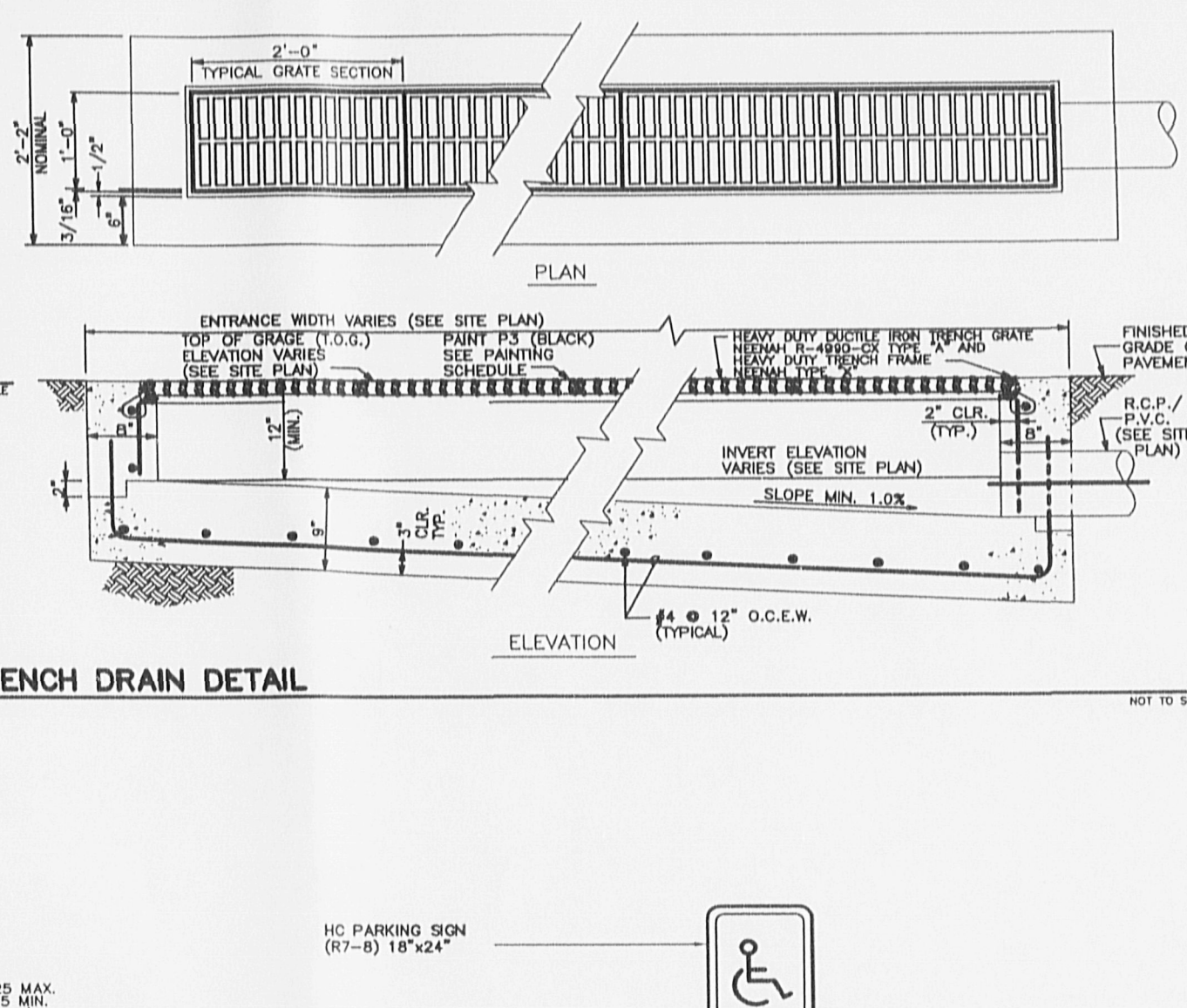
**CONCRETE PAVEMENT DETAIL (TANK SLAB)**



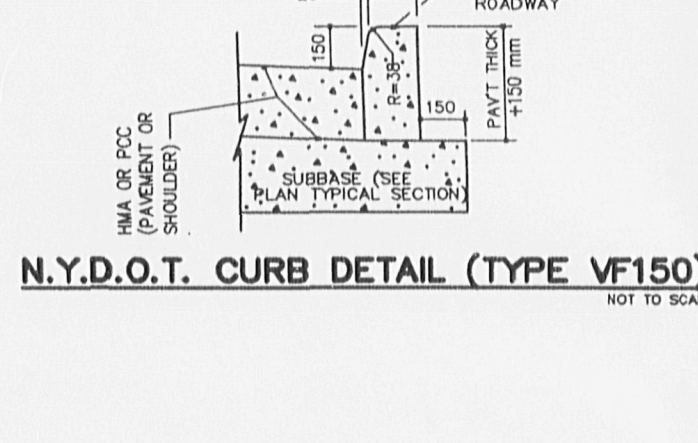
**TRASH ENCLOSURE DETAIL**



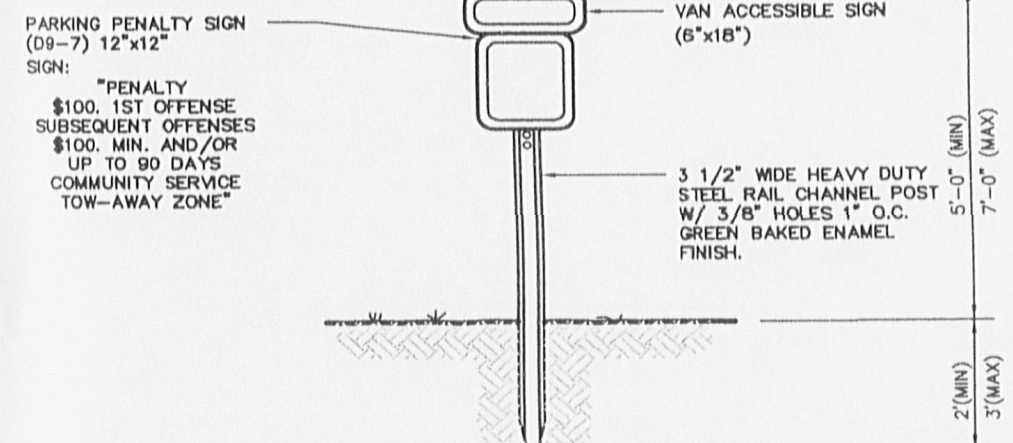
**"U" BOLLARD DETAIL**



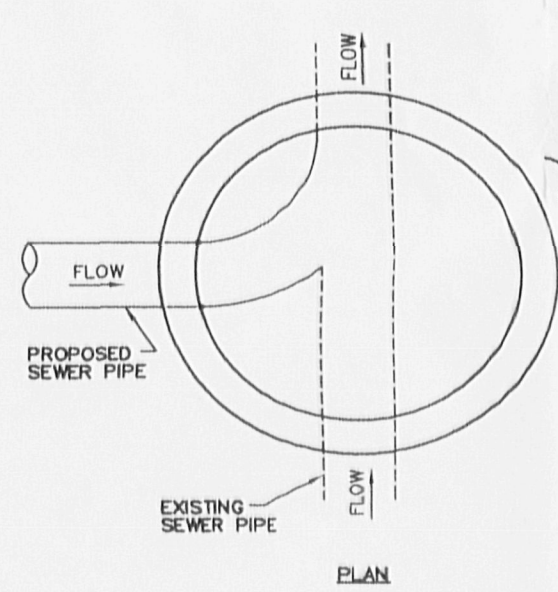
**TRENCH DRAIN DETAIL**



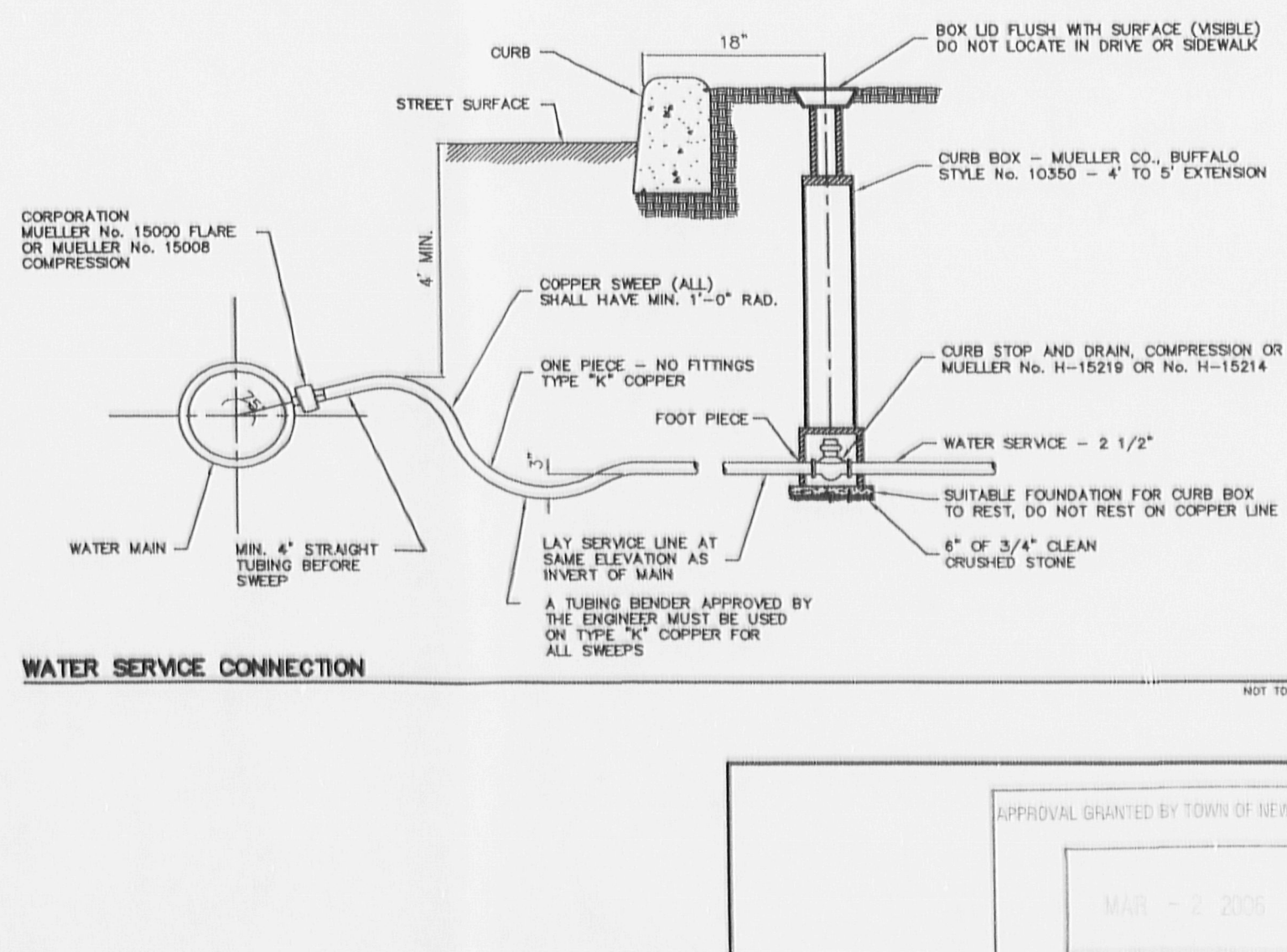
**N.Y.D.O.T. CURB DETAIL (TYPE VF150)**



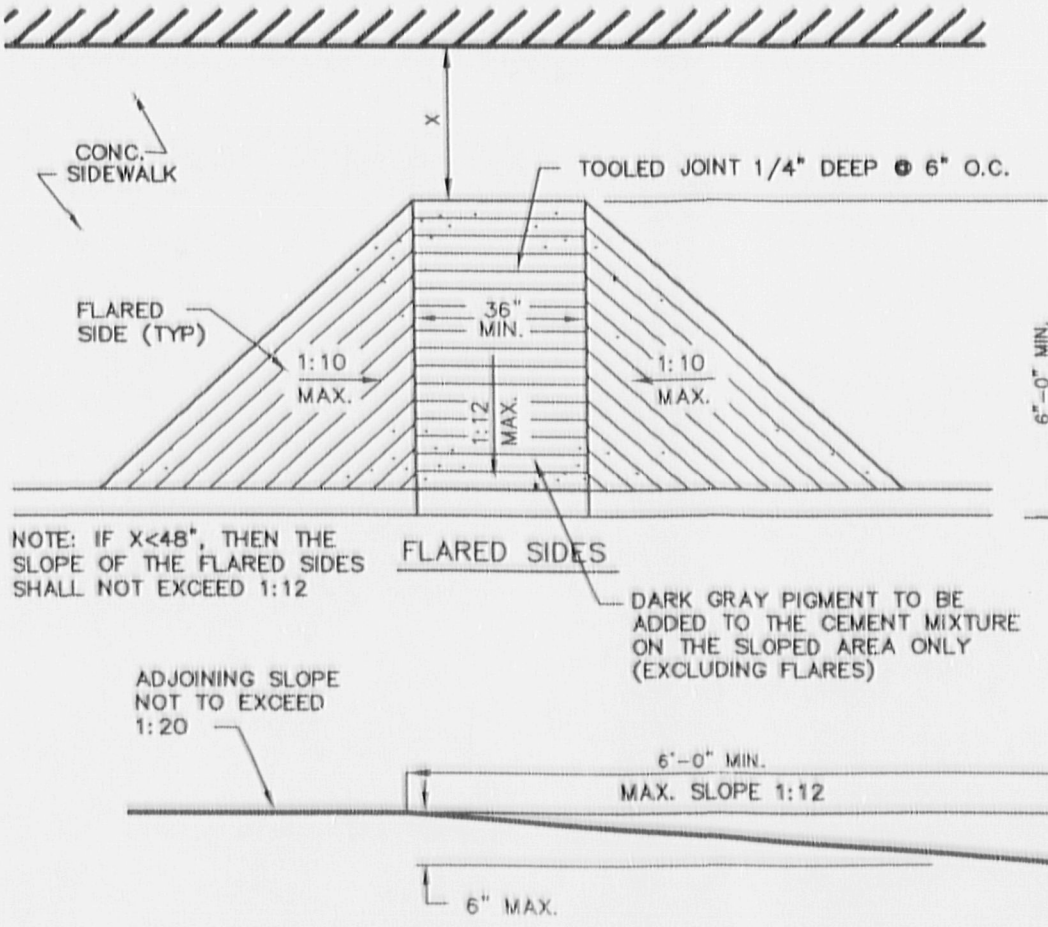
**HANDICAP SIGN DETAIL**



**DOGHOUSE MANHOLE**



**WATER SERVICE CONNECTION**



**CONCRETE CURB RAMP (ADA REQUIREMENTS)**

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Professional Engineer  
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Block 4, Lot 26.2  
1001 N.Y.S. ROUTE 94 & N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK

**EXXON MOBIL CORPORATION & CANOPY ON THE RUN, CAR WASH & CONSTRUCTION DETAILS**

12225  
Design Type  
Building Type / Size  
3200 SF  
Scale:  
AS SHOWN  
Drawn By / Approved By:  
JAS/BJS  
File Name:  
S251A--6  
Date:  
12-08-03  
Project No:  
S251A  
Drawing No:  
6



1. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE INSTALLED IN ACCORDANCE WITH THE N.Y. STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL, AND WILL BE INSTALLED IN PROPER SEQUENCE AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
2. ANY DISTURBED AREA THAT WILL BE LEFT EXPOSED FOR MORE THAN THIRTY (30) DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC SHALL IMMEDIATELY RECEIVE A TEMPORARY SEEDING. IF THE SEASON PROHIBITS TEMPORARY SEEDING, THE DISTURBED AREA WILL BE MULCHED WITH SALT HAY OR EQUIVALENT AND BOUND IN ACCORDANCE WITH THE N.Y. STANDARDS (I.E. PEG AND TWINE, MULCH NETTING, OR LIQUID MULCH BINDER).
3. IMMEDIATELY FOLLOWING INITIAL DISTURBANCE OR ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION WILL RECEIVE A TEMPORARY SEEDING IN COMBINATION WITH STRAW MULCH OR A SUITABLE EQUIVALENT, AT A RATE OF 2 TONS PER ACRE, ACCORDING TO THE N.Y. STANDARDS.
4. STABILIZATION SPECIFICATIONS:
  - A. TEMPORARY SEEDING MULCHING:
    - LIME - 90 LBS./1,000 S.F. GROUND LIMESTONE; FERTILIZER - 14 LBS./1,000 S.F.; 10-20-10 OR EQUIVALENT WORKED INTO SOIL. A MINIMUM OF 4".
    - SEED ANNUAL RYEGRASS 40 LBS./ACRE OR OTHER APPROVED SEEDS; PLANT BETWEEN MARCH 1 AND MAY 15 OR BETWEEN AUGUST 15 AND OCTOBER 1.
    - MULCH - SALT HAY OR SMALL GRAIN STRAW AT A RATE OF 70 TO 90 LBS./1,000 S.F., TO BE APPLIED ACCORDING TO THE N.Y. STANDARDS. MULCH SHALL BE SECURED BY APPROVED METHODS (I.E. PEG AND TWINE, MULCH NETTING, OR LIQUID MULCH BINDER).
  - B. PERMANENT SEEDING AND MULCHING:
    - LIME - 90 LBS./1,000 S.F. GROUND LIMESTONE; FERTILIZER - 14 LBS./1,000 S.F.; 10-20-10 OR EQUIVALENT WORKED INTO SOIL. A MINIMUM OF 4".
    - SEED PERENNIAL RYEGRASS 40 LBS./ACRE OR OTHER APPROVED SEEDS; PLANT BETWEEN MARCH 1 AND MAY 15 OR BETWEEN AUGUST 15 AND OCTOBER 1.
    - MULCH - SALT HAY OR SMALL GRAIN STRAW AT A RATE OF 70 TO 90 LBS./1,000 S.F., TO BE APPLIED ACCORDING TO THE N.Y. STANDARDS. MULCH SHALL BE SECURED BY APPROVED METHODS (I.E. PEG AND TWINE, MULCH NETTING, OR LIQUID MULCH BINDER).

**U.S. Region  
Engineering**

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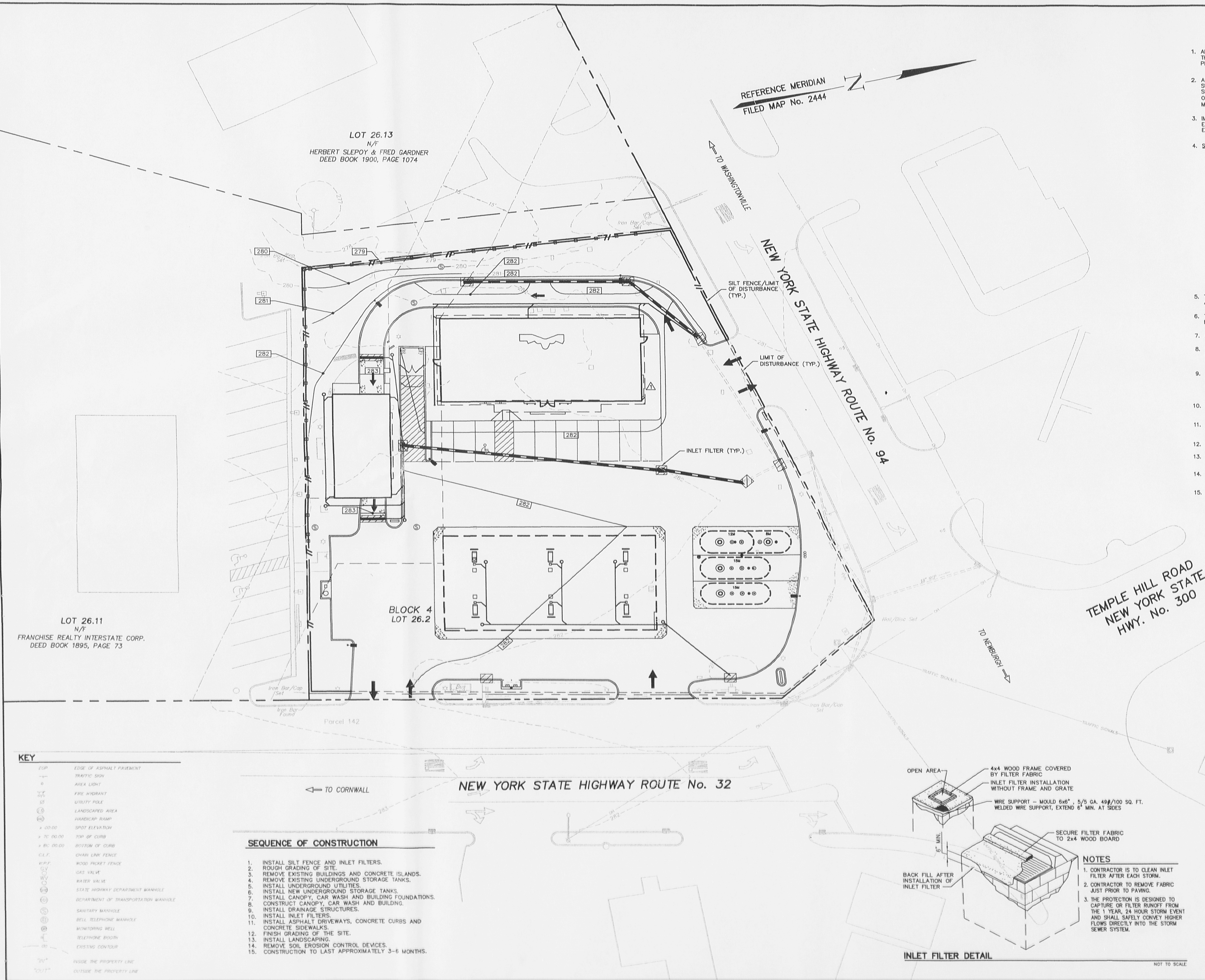
 **Bertin Engineering Associates, Inc.**  
66 Glen Avenue, Glen Rock, NJ 07452  
(201) 670-6888 fax (201) 670-9788  
[www.bertinengineering.com](http://www.bertinengineering.com)

SEAL	CALISTO J. BERTIN, P.E. PROFESSIONAL ENGINEER	C.E. NO.: 12950 M.A. U.C. NO.: 40595 M.H. U.C. NO.: 9368 M.A.L.P. U.C. NO.: 28846 N.Y. U.C. NO.: 60022 P.R.I. U.C. NO.: 6594
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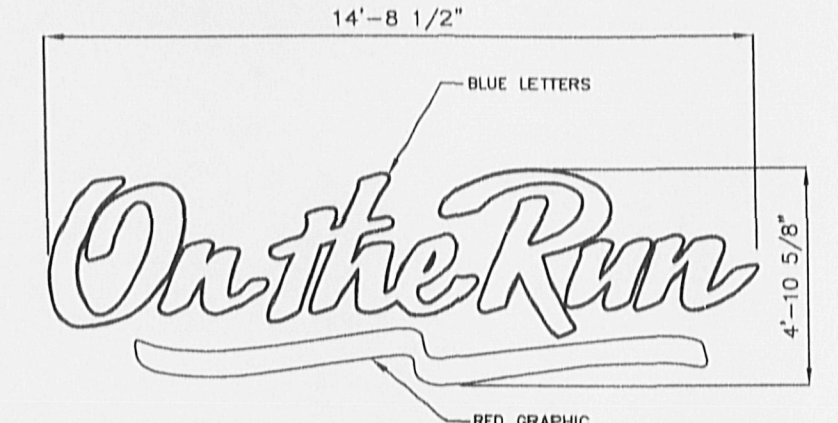
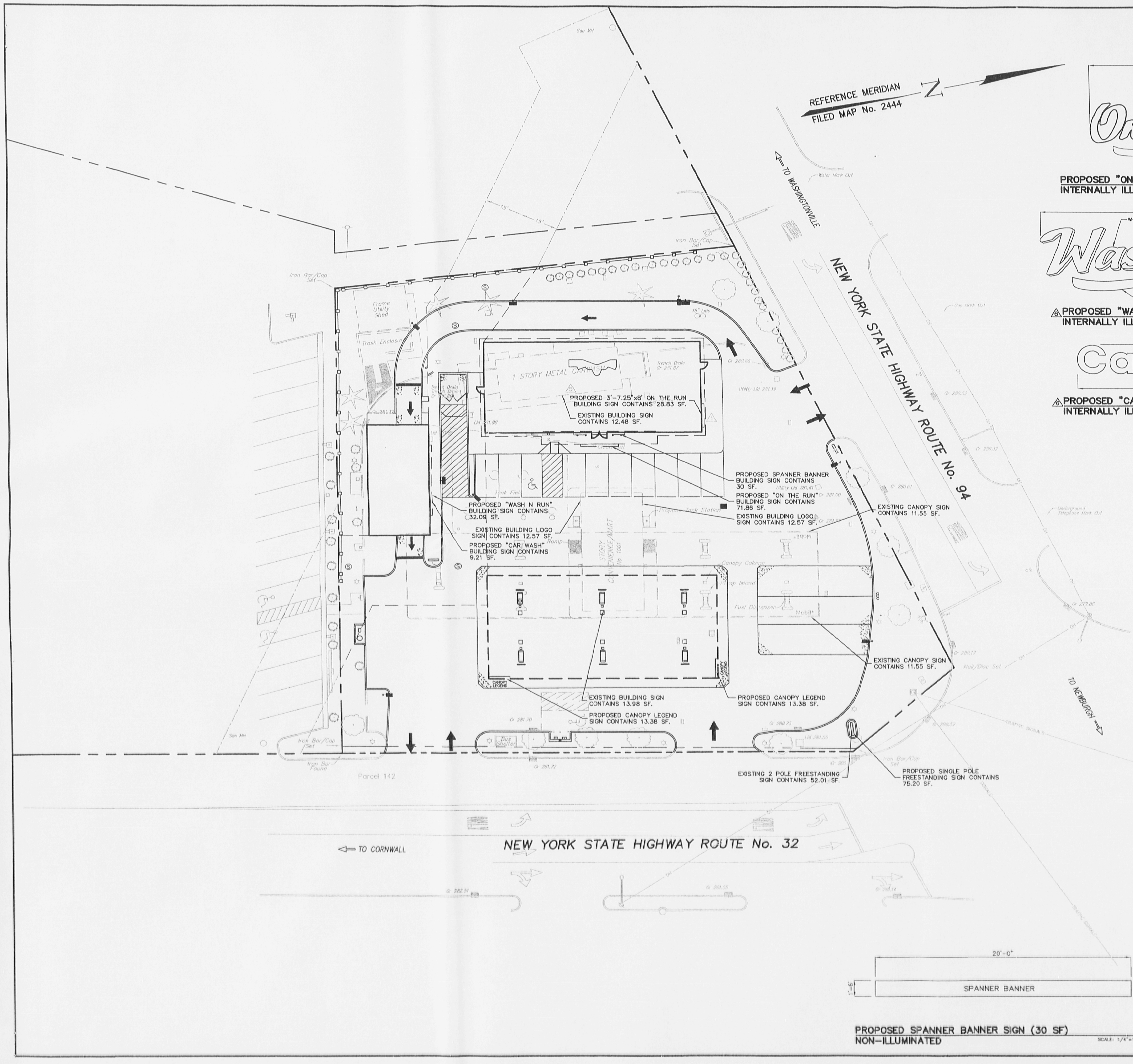
Revisions Number	Description	Date	Initial
7	- REPLACE CURB & EXTEND TANK MAT	12/28/05	TR
16	- RELOCATE VENTS & CUSTOMER SERVICE UNIT	7/28/05	ALB
5	- RELOCATE VENTS, MEDICAL CLOSET LANE	6/29/05	DI
4	- ADD PLANTER AT IO SIGN	4/19/05	DI
3	- ADJUST FRANKING AND PRORANGE AS PER REDUCED CANYPT SIZE AND RELOCATED TANKS	12/27/04	DI
2	- REVERSE FRONT LANE	10/17/04	DI
1	- ADD VARIANCE FOR LANE	7/16/04	J.A.S.

Site  
BLBLOCK 4, LOT 26.2  
1001 N.Y.S. ROUTE 94 & N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Project

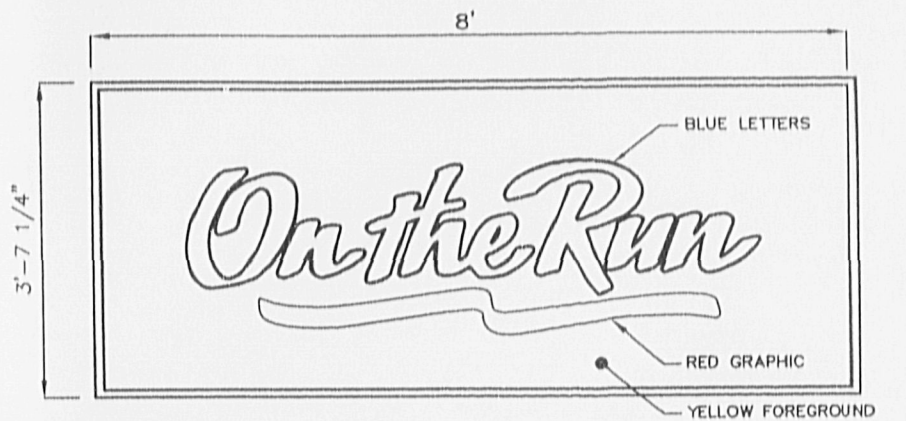
RAS Number	12225
Design Type	
Building Type / Size:	3200 SF
Building Style:	
Bldg. Code:	Scale: 1"=20'
Drawn By / Approved By:	YA/BJS
File Name:	S251A-PL
Date:	12-08-03
Issued For:	
Project No.	S251A
Drawing No.	7



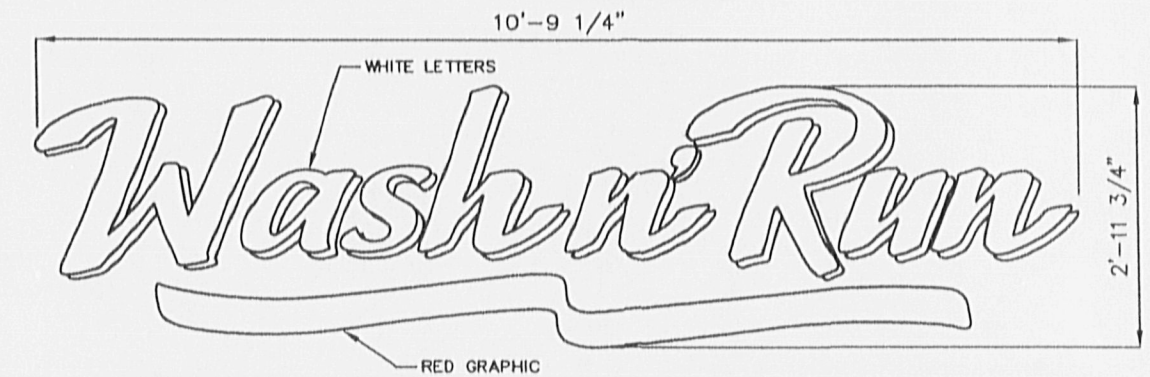




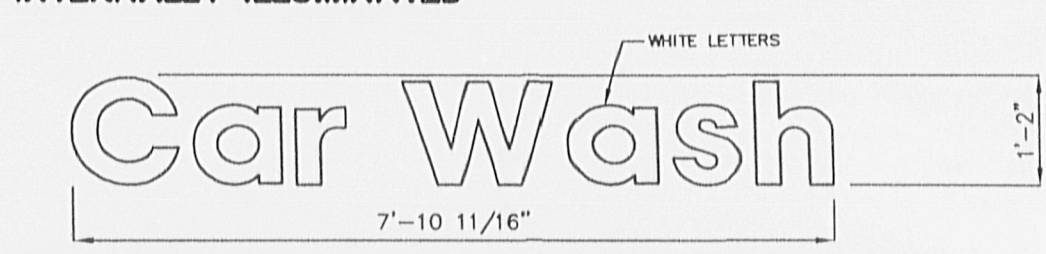
PROPOSED "ON THE RUN" BUILDING SIGN (71.86 SF)  
INTERNALLY ILLUMINATED  
SCALE: 1/4"=1'



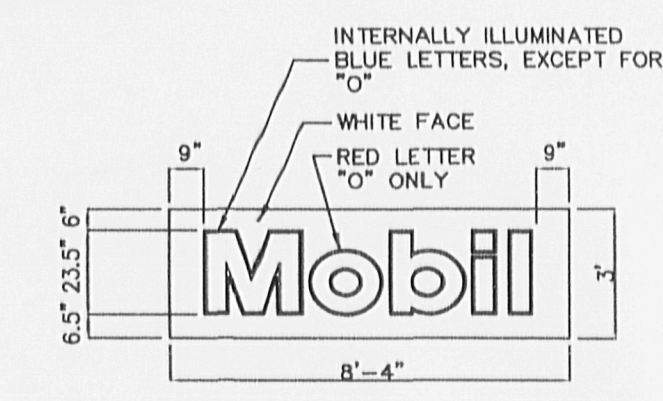
PROPOSED "ON THE RUN" BUILDING SIGN (28.83 SF)  
INTERNALLY ILLUMINATED  
SCALE: 1/2"=1'



PROPOSED "WASH N RUN" BUILDING SIGN (32.09 SF)  
INTERNALLY ILLUMINATED  
SCALE: 1/2"=1'

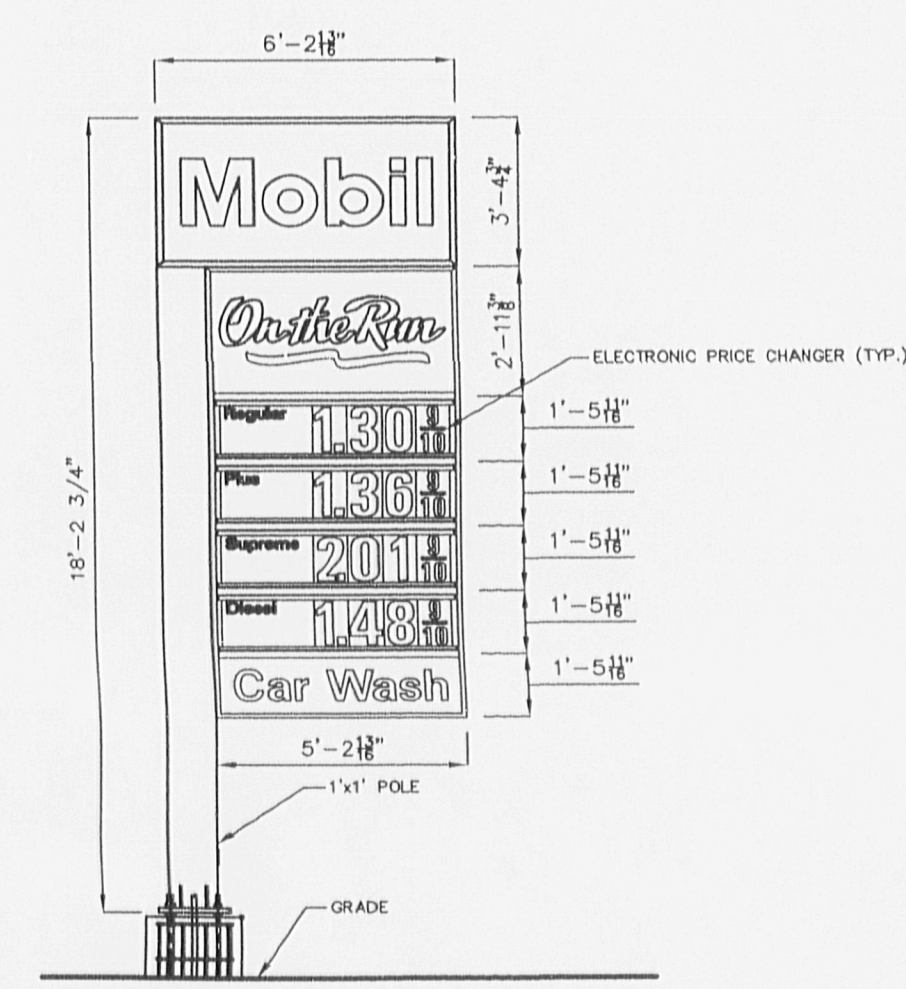


PROPOSED "CAR WASH" BUILDING SIGN (9.21 SF)  
INTERNALLY ILLUMINATED  
SCALE: 1/2"=1'



NO. "MOBIL": 2  
PANEL AREA = 25 SF  
SIGN AREA = 13.38 SF

CANOPY LOGO PANEL  
PROPOSED CANOPY SIGNS  
N.T.S.

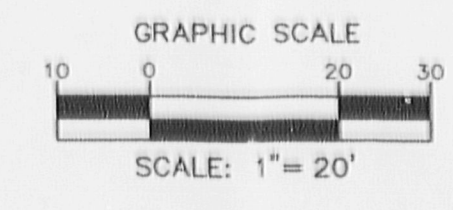


ON THE RUN: 21.17 SF  
REGULAR: 15.43 SF  
PLUS: 7.72 SF  
SUPER: 7.72 SF  
DIESEL: 7.72 SF  
CAR WASH: 7.72 SF  
TOTAL AREA: 75.20 SF  
PROPOSED FREESTANDING ID SIGN  
INTERNALLY ILLUMINATED  
SCALE: 1/4"=1'

TEMPLE HILL ROAD  
NEW YORK STATE  
HWY. No. 300

FREESTANDING SIGNS (300-45 A.(1))		REQUIRED	EXISTING	PROPOSED
MAX. # OF SIGNS		64 (ALL FACES)	52.01 (ONE SIDE)*	75.20 (ONE SIDE)**
MAX. AREA (SF)		15	13.2 COMPLIES	18.23**
MAX. HEIGHT (FT)		1	0	0
MAX. # OF ADDITIONAL FREE STANDING SIGN IF THE SITE HAS TWO MAIN VEHICULAR ENTRANCES		1	0	0
MIN. DISTANCE BETWEEN TWO FREESTANDING SIGNS IF PERMITTED (FT)		300	N/A	N/A
BUILDING SIGNS (SECTION 300-45 A.(2))				
MAX. # OF SIGNS/BUSINESS		1	3 (BLDG)* 2 (CANOPY)** 1 (CAR WASH)	3 (BLDG)** 2 (CANOPY)** 2 (CAR WASH)**
MAX. HEIGHT (FT)		2.5	10 1.42 (BLDG) 3.60 (BLDG)** 20 1.81 (CANOPY) 10 1.42 (CAR WASH)	4.89 (BLDG)** 3.60 (BLDG)** 1.5 (BLDG) 2 1.96 (CANOPY) 2.98 (CAR WASH)** 1.17 (CAR WASH)
MAX. WIDTH (FT)		10	10 9.87 (BLDG) 20 4 (BLDG) 20 6.38 (CANOPY) 10 8.81 (CAR WASH)	14.71 (BLDG)** 8 (BLDG)** 20 (BLDG)** 2 6.83 (CANOPY) 10.77 (CAR WASH)** 7.89 (CAR WASH)
MAX. AREA (SF)		25	10 13.98 (BLDG) 20 12.51 (BLDG) 20 11.55 (CANOPY) 12.48 (CAR WASH)	71.86 (BLDG)** 28.83 (BLDG)** 50 (BLDG)** 2 13.38 = 26.76 (CANOPY) 32.09 (CAR WASH)** 9.21 (CAR WASH)

\* - INDICATES AN EXISTING NON-CONFORMITY  
\*\* - INDICATES A VARIANCE IS REQUIRED



PROPOSED SPANNER BANNER SIGN (30 SF)  
NON-ILLUMINATED  
SCALE: 1/4"=1'

**ExxonMobil**  
Fuels Marketing  
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Engineering  
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**Calisto J. Bertin, P.E.**  
Professional Engineer  
No. 12530  
NY State License No. 12530  
Mechanical Engineering  
NY State License No. 12530  
NY State License No. 12530

**Project**  
BLOCK 4, LOT 26.2  
1001 N.Y.S. ROUTE 94 & N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK

**Design Type**  
12225

**Building Type / Size**  
3200 SF

**Blgd. Code**  
1"=20'

**Drawn By / Approved By**  
YA/BJS

**File Name**  
S251A-PL

**Date**  
12-08-03

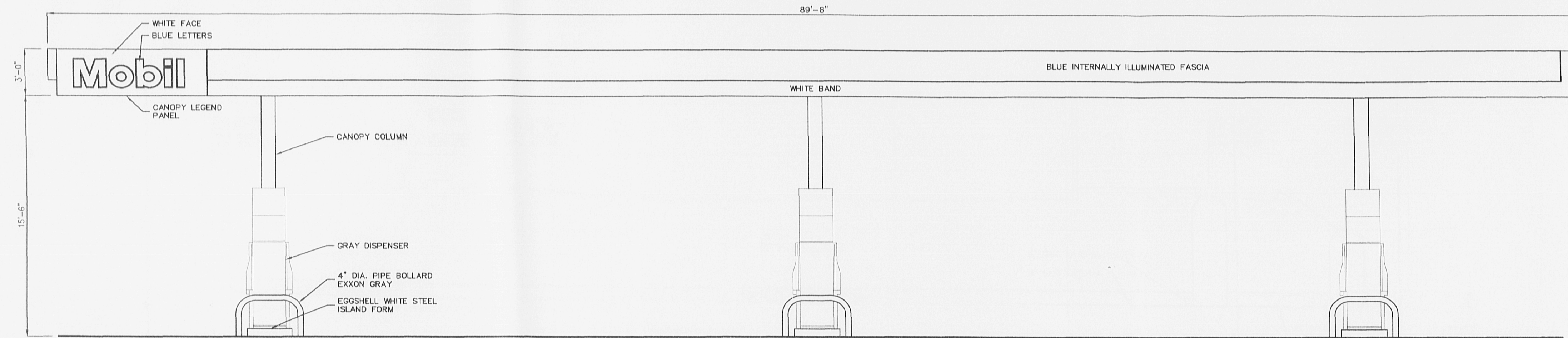
**Project No.**  
S251A

**Drawing No.**  
8

**DO NOT SCALE DRAWINGS**

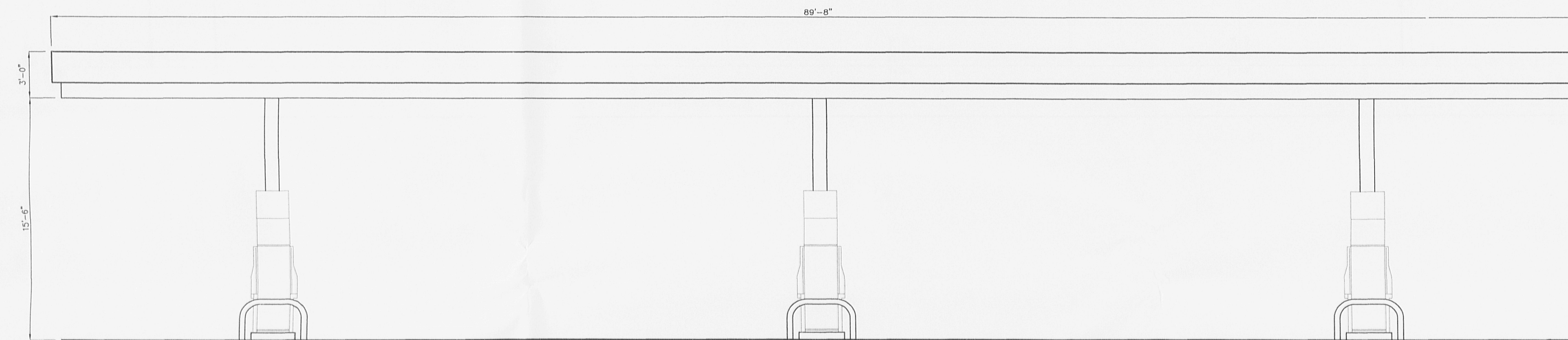
**SIGN PLAN**





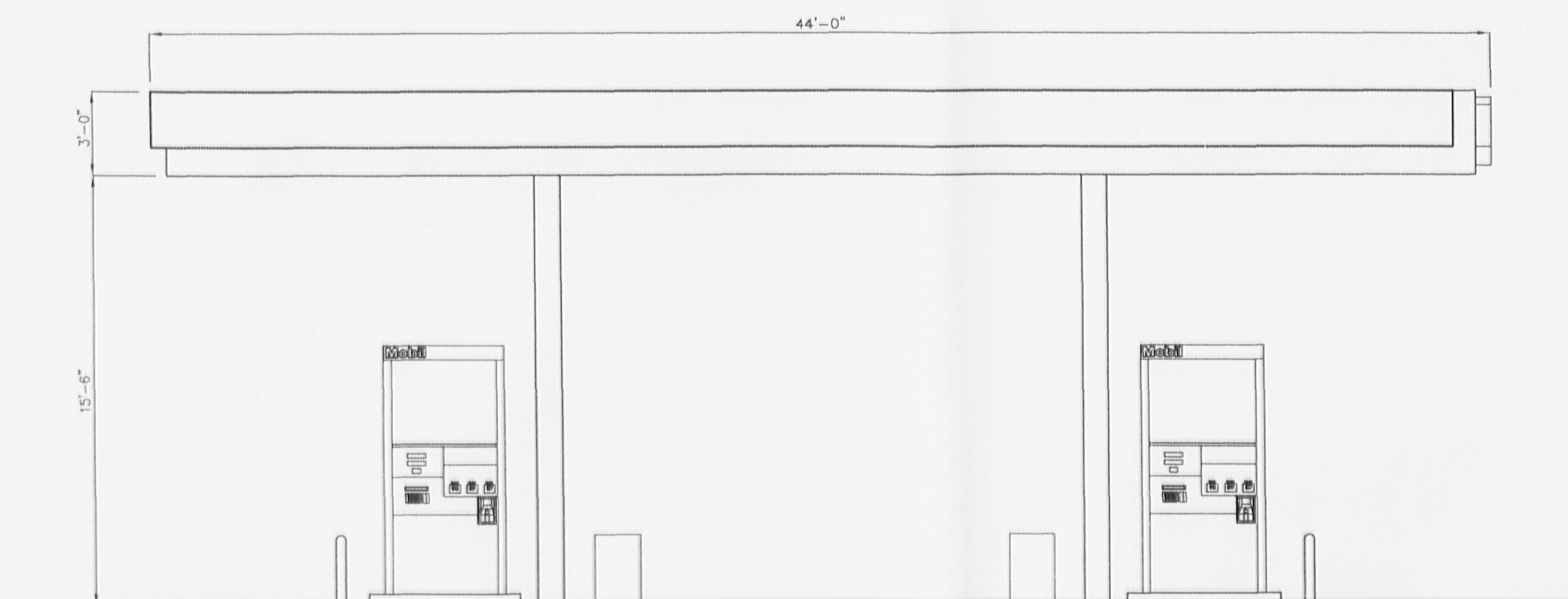
FRONT CANOPY ELEVATION — LOOKING WEST (FACING ROUTE 32)

SCALE : 1/4" = 1'-0"



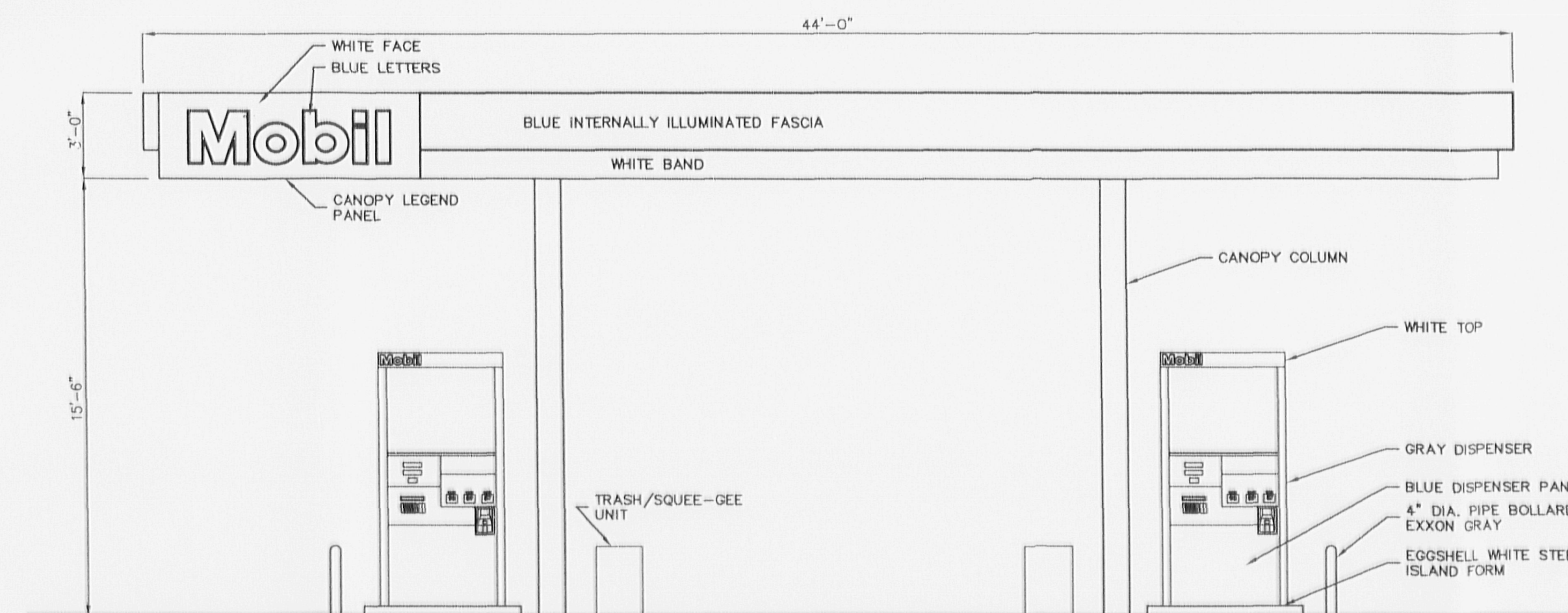
REAR CANOPY ELEVATION — LOOKING EAST

SCALE : 1/4" = 1'-0"



SIDE CANOPY ELEVATION — LOOKING NORTH

SCALE : 1/4" = 1'-0"



SIDE CANOPY ELEVATION — LOOKING SOUTH (FACING ROUTE 94)

SCALE : 1/4" = 1'-0"

Logo

Seal

Revision Number - Description - Date - Initial

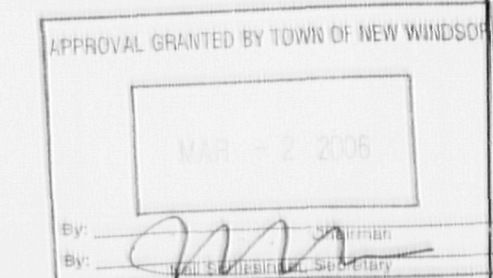
2 - RUCKE ISLAND SHELTER BUILDING - 12/28/05 - TR  
1 - REDUCE CANOPY SIZE - 12/27/04 - AB

DO NOT SCALE DRAWINGS

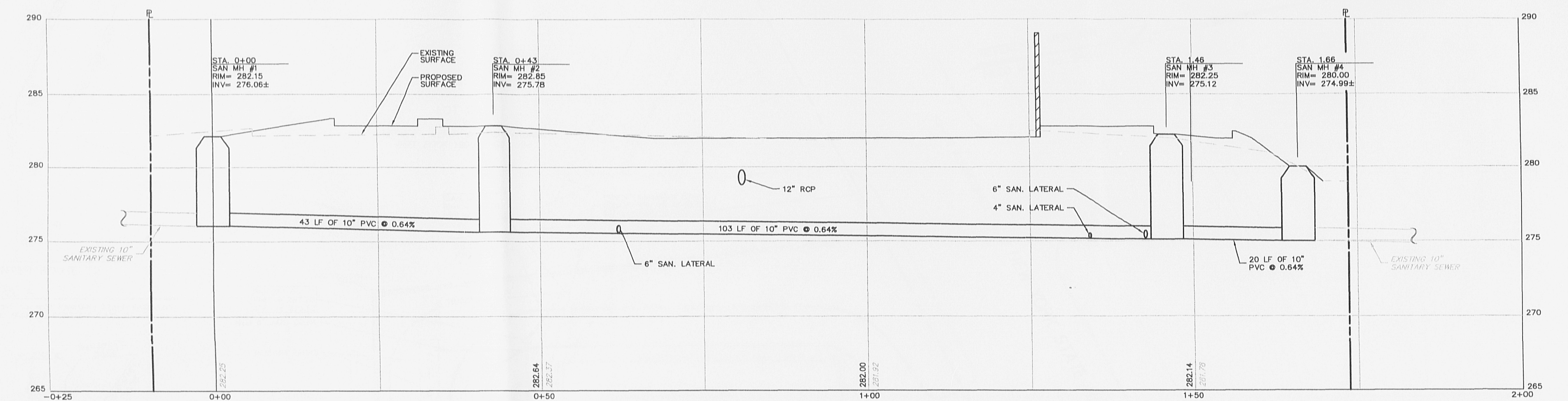
ON BLOCK 4, LOT 26.2  
1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Project  
**EXXON MOBIL CORPORATION**  
**ON THE RUN, CAR WASH & CANOPY**  
**CANOPY ELEVATIONS**

RAS Number  
Design Type  
Building Type / Size  
Building Style: 3200 SF  
Bldg. Code: AS SHOWN  
Drawn By / Approved By: YA/BJS  
File Name: S251A-11  
Date: 12-08-03  
Issue For:

Project No.  
**S251A**  
Drawing No.







SANITARY SEWER PROFILE

SCALE: H: 1"=10'  
V: 1"=4'

**Bertin Engineering Associates, Inc.**  
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(201) 670-6688 fax (201) 670-9788  
www.bertineng.com  
STATE OF NEW JERSEY  
REGISTERED PROFESSIONAL ENGINEER  
No. 2349  
EX-00000000

**CALISTO J. BERTIN, P.E.**  
PROFESSIONAL ENGINEER  
No. 2349  
EX-00000000  
STATE OF NEW JERSEY  
REGISTERED PROFESSIONAL ENGINEER  
No. 2349  
EX-00000000

Revision Number	Description	Date	Initial

LOT 4, BLOCK 4, LOT 26.2  
1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Project  
**EXXON MOBIL CORPORATION**  
**ON THE RUN, CAR WASH & CANOPY**  
**SANITARY SEWER PROFILE**

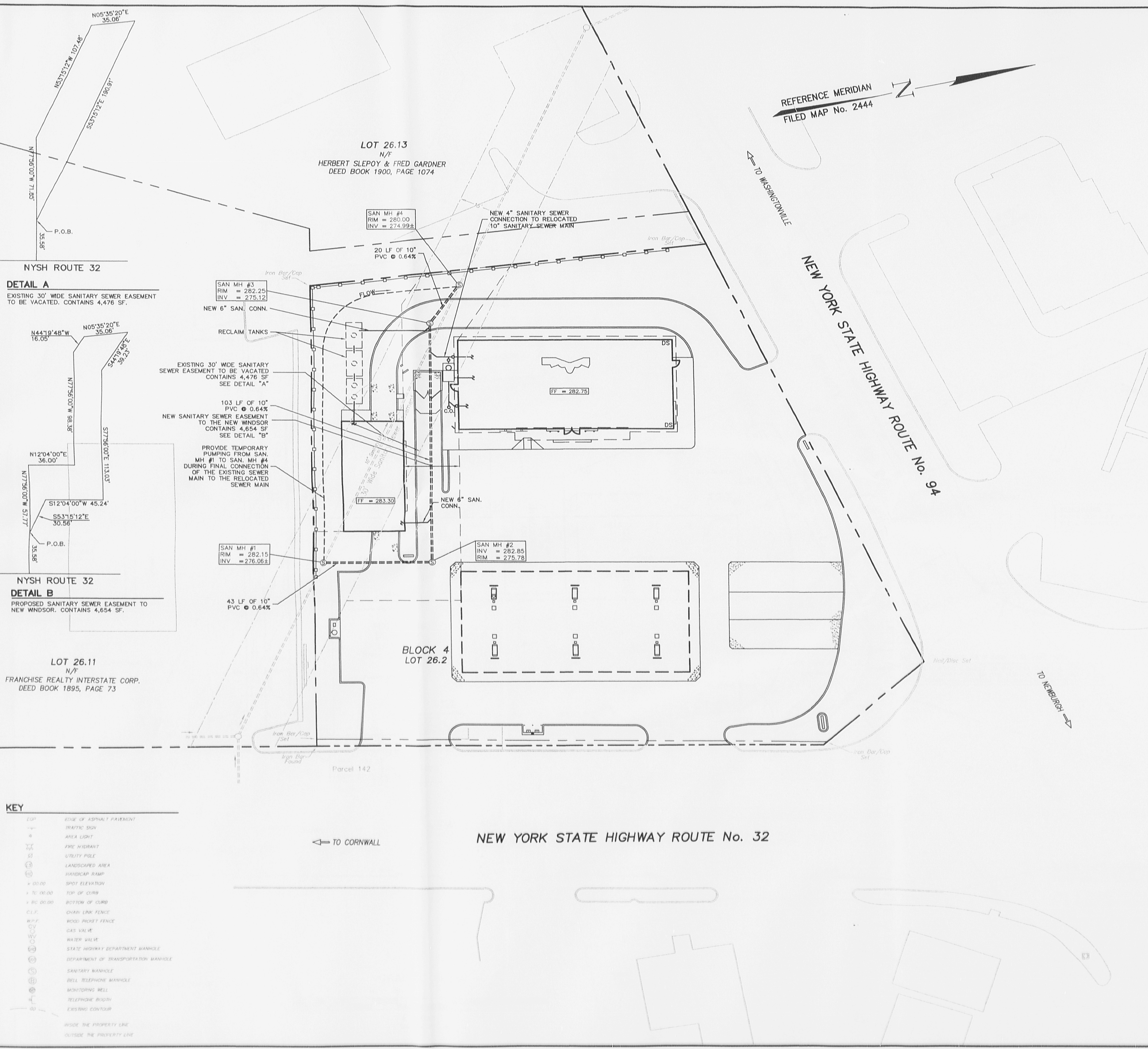
RAS Number: 12225  
Design Type: 3200 SF  
Building Type / Size: 3200 SF  
Building Style: AS SHOWN  
Bldg. Code: JAS/BJJS  
Drawn By / Approved By: S251A-11  
File Name: 12-08-03  
Date: 12-08-03  
Issued For:

APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
TOWN ENGINEER  
TOWN SECRETARY

Project No. **S251A**  
Drawing No. **10**

DO NOT SCALE DRAWINGS

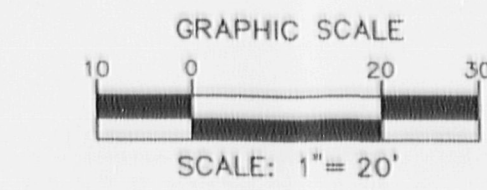
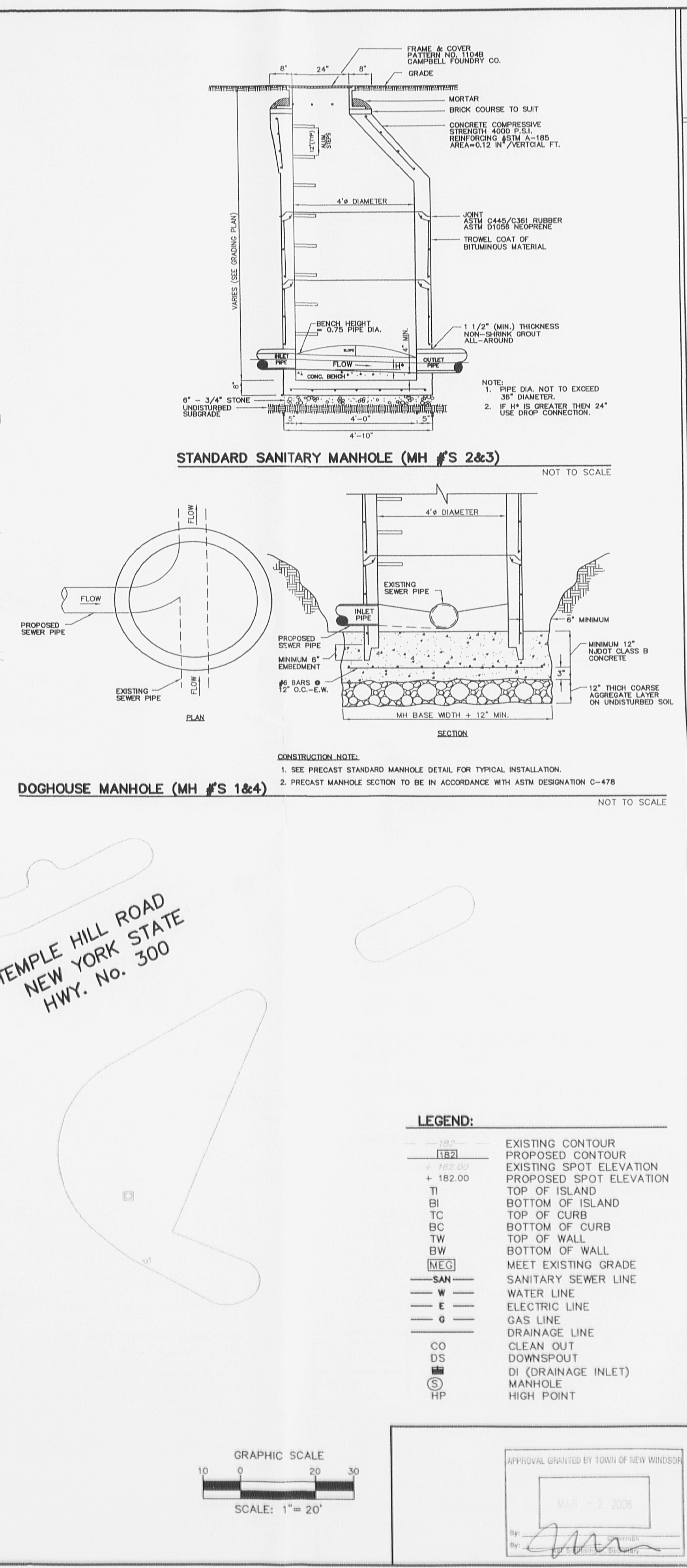




**DETAIL A**  
EXISTING 30' WIDE SANITARY SEWER EASEMENT TO BE VACATED. CONTAINS 4,476 SF.

**DETAIL B**  
PROPOSED SANITARY SEWER EASEMENT TO NEW WINDSOR. CONTAINS 4,654 SF.

- KEY**
- EXIST. ASPHALT PAVEMENT
  - TRAFFIC SIGN
  - AREA LIGHT
  - FIRE HYDRANT
  - UTILITY POLE
  - LANDSCAPED AREA
  - HANDICAP RAMP
  - SPOT ELEVATION
  - TOP OF CURB
  - BOTTOM OF CURB
  - CHAIN LINK FENCE
  - WOOD PICKET FENCE
  - GAS VALVE
  - WATER VALVE
  - STATE HIGHWAY DEPARTMENT MANHOLE
  - DEPARTMENT OF TRANSPORTATION MANHOLE
  - SANITARY MANHOLE
  - BELL TELEPHONE MANHOLE
  - MONITORING WELL
  - TELEPHONE BOOTH
  - EXISTING CONTOUR
  - INSIDE THE PROPERTY LINE
  - OUTSIDE THE PROPERTY LINE



APPROVAL GRANTED BY TOWN OF NEW WINDSOR  
MAR - 2 2006  
By: [Signature]  
By: [Signature]

**ExxonMobil**  
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Logo

360

PROFESSIONAL  
ENGINEER  
CALISTO I. BERTIN, P.E.  
C.T. NO. 12350  
M.A. NO. 40545  
N.J. L.C. NO. 40358  
N.J. L.C. NO. 28945  
N.J. L.C. NO. 60022  
P.E. NO. 6594

Block 4, Lot 26.2  
1001 N.Y.S. ROUTE 94 & N.Y.S. ROUTE 32  
NEW WINDSOR, ORANGE COUNTY, NEW YORK

Project  
EXXON MOBIL CORPORATION  
ON THE RUN, CAR WASH & CANOPY  
SANITARY SEWER CONSTRUCTION PLAN

RAS Number  
12225

Design Type

Building Type / Size  
3200 SF

Building Style

Blgd. Code  
YA/BUS

Scale  
1"=20'

Drawn By / Approved By  
File Name  
S251A-PL

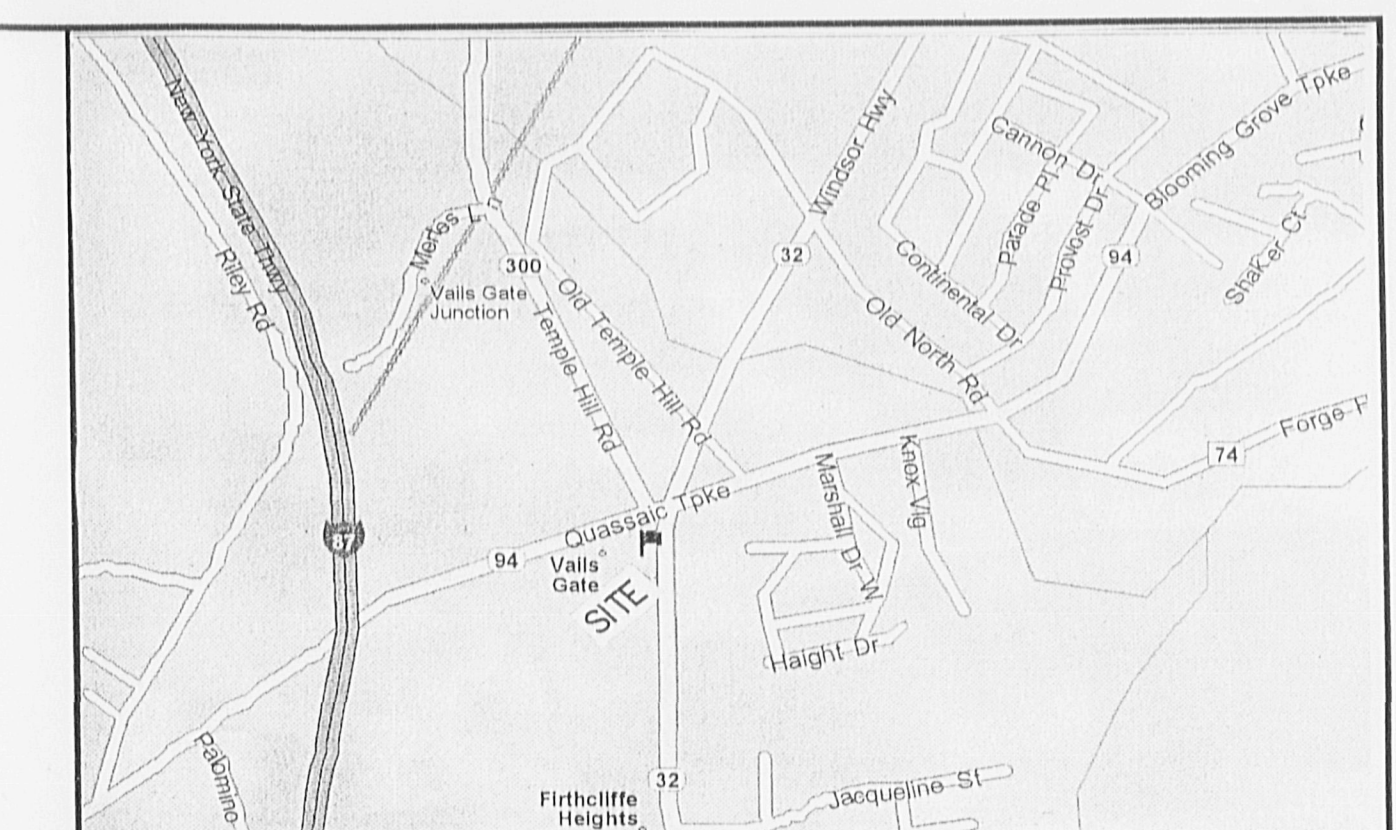
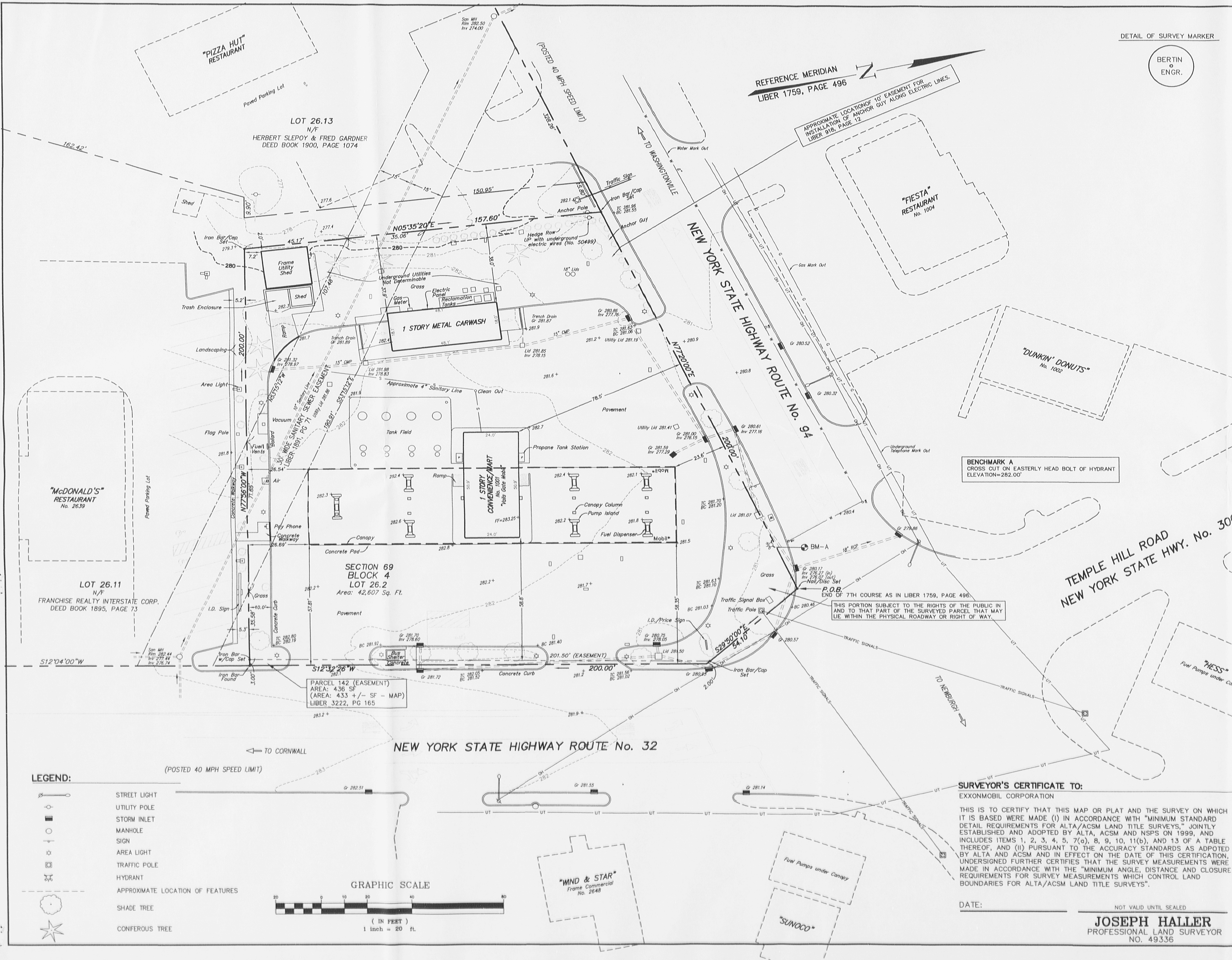
Date  
7-28-05

Project No.  
S251A

Drawing No.  
11

DO NOT SCALE DRAWINGS





AREA MAP

NOTES; certification continued:

- SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS AND AGREEMENTS OF RECORD.
- ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS WHICH MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NUMBER SS23-0-2731 PREPARED BY STEWART TITLE INSURANCE COMPANY DATED JUNE 10, 2003.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
- LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND ARE BASED ON OBVIOUS ABOVE GROUND PHYSICAL UTILITY APPURTENANCES AND ACCESSIBLE MANHOLES. THE EXACT LOCATION OF AND DEPTH OF ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED BY DIGGING TEST HOLES PRIOR TO ANY DESIGN OR CONSTRUCTION. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST.
- SITE IS LOCATED WITHIN ZONE C-(DESIGN SHOPPING ZONE).
- SITE IS LOCATED WITHIN FLOOD ZONE C, AS PER THE FLOOD INSURANCE RATE MAP, TOWN OF NEW WINDSOR, NEW YORK, COMMUNITY PANEL NUMBER 360628-0010-B, EFFECTIVE DATE DECEMBER 15, 1978.
- SUBJECT TO TELEPHONE, GAS & ELECTRIC AGREEMENT AS SET FORTH IN LIBER 918, PG 12.
- SUBJECT TO A 30' WIDE SANITARY SEWER EASEMENT, LIBER 1891, PG 71.
- RIGHT OF WAY EASEMENT, LIBER 1894, PG 486 NOT APPLICABLE.

DESCRIPTION OF LOT 26.2, BLOCK 4:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF NEW YORK STATE HIGHWAY ROUTE NO. 94, SAID POINT BEING THE END OF THE SEVENTH COURSE OF PARCEL 1 AS DESCRIBED IN A CERTAIN DEED BETWEEN EDWARD J. DOWNEY AND MARY G. DOWNEY TO MOBIL OIL CORPORATION ON DECEMBER 14, 1966 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE IN LIBRE 1759, PAGE 496; THENCE

- SOUTH 29°50'00" EAST A DISTANCE OF 54.10 FEET TO A POINT ON THE WESTERLY LINE OF NEW YORK STATE HIGHWAY ROUTE NO. 32; THENCE
- ALONG SAID WESTERLY LINE AS DESCRIBED IN A CERTAIN ACQUISITION BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND MOBIL OIL CORPORATION AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE IN LIBRE 3222, PAGE 165, SOUTH 12°32'26" WEST A DISTANCE OF 200.00 FEET TO THE DIVISION LINE OF LOT 26.11 AND LOT 26.2 IN BLOCK 4 AS SHOWN ON SECTION 69 OF THE TOWN OF NEW WINDSOR TAX ASSESSMENT MAP; THENCE
- ALONG SAID DIVISION LINE NORTH 77°56'00" WEST A DISTANCE OF 197.00 FEET; THENCE
- STILL ALONG SAID DIVISION LINE NORTH 05°35'20" EAST A DISTANCE OF 157.60 FEET TO THE SOUTHERLY LINE OF NEW YORK STATE HIGHWAY ROUTE NO. 94; THENCE
- ALONG SAID SOUTHERLY LINE NORTH 77°20'00" A DISTANCE OF 200.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 42,607 SQUARE FEET

REFERENCES:

- "SITE PLAN-AMENDMENTS FOR SERVICE STATION 06N2X" PREPARED BY KARTIGANER ASSOCIATES, P.C., DATED JUNE 23, 1991.
- TAX ASSESSMENT MAP SECTION 69, TOWN OF NEW WINDSOR.
- STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION, DRAINAGE & UTILITY PLAN AND SIGN & PAVEMENT MARKING PLAN, CHESTER AND VAILS GATE (RTE 94) CONTRACT NO. D259165, DATED APRIL, 2002.
- SITE PLAN-PIZZA HUT, PREPARED BY GORDON K. STUCKY, AIA, DATED MAY 8, 1975.
- SITE PLAN-McDONALD'S, PREPARED BY WILLIAM HOUTHUYSEN, AIA, DATED JAN. 19, 2000.

Rev. No. 1 CORRECT PARCEL 142, ADD EASEMENT NOTE C.T. 08/16/2004

FIELD DATE: 12/1/2003		ALTA/ACSM LAND TITLE SURVEY	
F/B No. E.F.B.		1001 ROUTE 94 SECTION 69, BLOCK 4, LOT 26.2 TOWN OF NEW WINDSOR COUNTY OF ORANGE, NEW YORK	
CERT. OF AUTH. GA28068900		PREPARED FOR <b>ExxonMobil CORPORATION</b> c/o 3225 GALLOWAY ROAD, FAIRFAX, VIRGINIA 22037	
DRAWN: M.R.		BERTIN ENGINEERING ASSOCIATES, INC. 66 GLEN AVE., GLEN ROCK, N.J. 07452 (201) 670-6688	
REV. NO. 1	DATE: 1/21/2004	SCALE: 1"=20'	FILE NO. S251C
			DWG. NO. SV-1

SURVEYOR'S CERTIFICATE TO:  
EXXONMOBIL CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (I) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS ON 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 8, 9, 10, 11(b), AND 13 OF A TABLE THEREOF, AND (II) PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS".

DATE: \_\_\_\_\_  
NOT VALID UNTIL SEALED  
**JOSEPH HALLER**  
PROFESSIONAL LAND SURVEYOR  
NO. 49336